

**OFFICIAL JOURNAL**  
**OF THE**  
**HOUSE OF**  
**REPRESENTATIVES**  
**OF THE**  
**STATE OF LOUISIANA**

**FIFTEENTH DAY'S PROCEEDINGS**

**Thirty-sixth Regular Session of the Legislature**  
**Under the Adoption of the**  
**Constitution of 1974**

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Thursday, April 22, 2010

The House of Representatives was called to order at 1:00 P.M., by the Honorable Jim Tucker, Speaker of the House of Representatives.

**Morning Hour**

**ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

Mr. Speaker	Gallot	Montoucet
Abramson	Geymann	Morris
Anders	Gisclair	Norton
Armes	Greene	Nowlin
Arnold	Guillory	Pearson
Aubert	Guinn	Perry
Badon, A.	Hardy	Ponti
Badon, B.	Harrison	Pope
Baldone	Hazel	Pugh
Barras	Henderson	Richard
Barrow	Henry	Richardson
Billiot	Hill	Richmond
Brossett	Hines	Ritchie
Burford	Hoffmann	Robideaux
Burns, H.	Howard	Roy
Burrell	Hutter	Schroder
Carmody	Jackson G.	Simon
Carter	Jackson M.	Smiley
Champagne	Jones, R.	Smith, G.
Chandler	Jones, S.	Smith, J.
Chaney	Katz	Smith, P.
Connick	Kleckley	St. Germain
Cortez	LaFonta	Stiaes
Cromer	Lambert	Talbot
Danahay	Landry	Templet
Dixon	LeBas	Thibaut
Doerge	Leger	Thierry
Dove	Ligi	Waddell
Downs	Little	White
Edwards	Lopinto	Williams
Ellington	Lorusso	Willmott

Fannin  
Foil  
Franklin  
Total - 100

McVea  
Mills  
Monica

Wooton

ABSENT

Burns, T.  
Total - 3

Johnson

LaBruzzo

The Speaker announced that there were 100 members present and a quorum.

**Prayer**

Prayer was offered by Speaker Tucker.

**Pledge of Allegiance**

Rep. Nowlin led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

**Reading of the Journal**

On motion of Rep. Brossett, the reading of the Journal was dispensed with.

On motion of Rep. Brossett, the Journal of April 21, 2010, was adopted.

**Petitions, Memorials, and**  
**Communications**

The following petitions, memorials, and communications were received and read:

**Message from the Senate**

**ASKING CONCURRENCE IN**  
**SENATE CONCURRENT RESOLUTIONS**

April 22, 2010

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 50

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**SENATE BILLS**

April 22, 2010

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 15, 103, 306, 336, 482, 617, and 641

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Senate Bills and Joint Resolutions  
on First Reading**

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

**SENATE BILL NO. 15—**  
BY SENATOR APPEL

AN ACT

To amend and reenact the title to Part II-B of Chapter 4 of Title 47 of the Louisiana Revised Statutes of 1950 and R.S. 47:491(A)(1) and (6) and 492(A), (B), and (E), relative to amateur radio station operators; to provide for changing the design of a prestige license plate from "HAM Operator" to "Amateur Radio"; and to provide for related matters.

Read by title.

**SENATE BILL NO. 103—**

BY SENATORS N. GAUTREAUX, AMEDEE, CHABERT, GUILLORY, HEBERT, MICHOT AND MORRISH AND REPRESENTATIVE JANE SMITH

AN ACT

To enact Subpart B of Part XIII of Chapter 2 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R. S. 33:1419.5 through 1419.10, relative to financial assistance to political subdivisions; creates the Alternative Fuel Vehicle Revolving Loan Fund Program within the Department of Natural Resources to provide financial assistance to political subdivisions of the state for the costs of purchasing or converting all or a portion of the political subdivisions' fleets of motor vehicles to qualified clean fuel vehicles propelled by an alternative fuel; to provide for the forms of such financial assistance; and to provide for related matters.

Read by title.

**SENATE BILL NO. 306—**

BY SENATOR MARTINY

AN ACT

To enact R.S. 33:2955(A)(1)(k), relative to investments by political subdivisions; to provide for investment in debt instruments issued by any state other than Louisiana; to provide for investment in debt instruments issued by political subdivisions of any state other than Louisiana; to provide restrictions on such types of investments; to provide requirements relative to political subdivisions purchasing such debt instruments; and to provide for related matters.

Read by title.

**SENATE BILL NO. 336—**

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 47:297.9(A) and (B), relative to noncommercial hunting and fishing license fees; to provide for a credit for certain noncommercial hunting and fishing license fees; to provide for conditions and requirements; and to provide for related matters.

Read by title.

**SENATE BILL NO. 482—**

BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 48:601(A), to enact R.S. 48:601(E), and to repeal R.S. 48:601(D)(2)(c), relative to St. Landry Parish; to provide for the absorption of parish road districts upon creation of a new parishwide road district; and to provide for related matters.

Read by title.

**SENATE BILL NO. 617—**

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 32:392.1, relative to motor vehicles; to prohibit impoundment in certain circumstances; and to provide for related matters.

Read by title.

**SENATE BILL NO. 641—**

BY SENATORS MORRELL AND HEBERT AND REPRESENTATIVE LEGER

AN ACT

To enact 33:41, relative to a local government authority; to provide that certain contracts are void and unenforceable; to impose a duty upon the local government authority; to provide for an effective date; and to provide for related matters.

Read by title.

**Senate Concurrent Resolutions  
Lying Over**

The following Senate Concurrent Resolutions lying over were taken up and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 35—**

BY SENATOR LONG

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility of constructing a second bridge across the Red River in Natchitoches Parish.

Read by title.

On motion of Rep. Nowlin, and under a suspension of the rules, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 46—**

BY SENATOR LAFLEUR

A CONCURRENT RESOLUTION

To encourage the owners and players of the National Football League to resolve their differences in order to avoid interrupting, shortening, or eliminating the 2010 season.

Read by title.

On motion of Rep. LeBas, and under a suspension of the rules, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 47—**

BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To commend Mr. Charles F. Castille on thirty-five years of outstanding service and dedication to the citizens of the state of Louisiana and to congratulate him on the occasion of his retirement from the Louisiana Department of Health and Hospitals (DHH).

Read by title.

On motion of Rep. Katz, and under a suspension of the rules, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 48—**

BY SENATOR LONG AND REPRESENTATIVE NOWLIN

A CONCURRENT RESOLUTION

To commend the Northwestern State University Lady Demons for winning the 2010 Southland Conference women's tennis championship.

Read by title.

On motion of Rep. Nowlin, and under a suspension of the rules, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 49—**  
BY SENATOR ALARIO

**A CONCURRENT RESOLUTION**

To express the sincere condolences of the Legislature of Louisiana upon the death of J. Lynn Berry.

Read by title.

On motion of Rep. Billiot, and under a suspension of the rules, the resolution was concurred in.

**House Bills and Joint Resolutions on  
Second Reading to be Referred**

The following House Bills and Joint Resolutions on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

**Motion**

On motion of Rep. Abramson, the Committee on Natural Resources and Environment was discharged from further consideration of House Bill No. 1375.

**HOUSE BILL NO. 1375—**  
BY REPRESENTATIVE ABRAMSON  
**AN ACT**

To enact R.S. 9:1103, relative to water use rights; to provide for the use of running water by an adjacent landowner for certain purposes; to provide for a transfer of a water use servitude; and to provide for related matters.

Read by title.

On motion of Rep. Abramson, the bill was recommitted to the Committee on Civil Law and Procedure.

**Senate Bills and Joint Resolutions on  
Second Reading to be Referred**

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

**SENATE BILL NO. 9—**  
BY SENATOR B. GAUTREUX  
**AN ACT**

To amend and reenact R.S. 32:300.5(C)(4) and R.S. 32:300.7(D), relative to texting while driving a motor vehicle; to provide for the use of certain wireless telecommunications devices for text messaging; to change the violation to a primary offense; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.

**SENATE BILL NO. 10—**  
BY SENATOR N. GAUTREUX  
**AN ACT**

To amend and reenact R.S. 15:739(A) and (C), relative to prison inmates; to provide for testing under certain incidents; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

**SENATE BILL NO. 52—**  
BY SENATOR B. GAUTREUX  
**AN ACT**

To amend and reenact R.S. 15:574.2(A)(1), relative to the Board of Parole; to provide for minimum qualifications of members; to provide for appointment of members; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

**SENATE BILL NO. 63—**  
BY SENATOR AMEDEE AND REPRESENTATIVES LAMBERT AND AUBERT  
**AN ACT**

To request the Department of Transportation and Development to study the feasibility of a West Bank Turnpike; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.

**SENATE BILL NO. 68—**  
BY SENATOR MCPHERSON  
**AN ACT**

To authorize and provide for the transfer of certain state property in Rapides Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Natural Resources and Environment.

**SENATE BILL NO. 77—**  
BY SENATOR MCPHERSON  
**AN ACT**

To amend and reenact R.S. 48:2074 (D)(2) and (7), relative to the Louisiana Transportation Authority; to provide that the chairman of the Senate Committee on Transportation, Highways and Public Works is chairman of the board; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.

**SENATE BILL NO. 80—**  
BY SENATOR MARTINY  
**AN ACT**

To amend and reenact R.S. 44:9(A)(4), relative to expungement of arrest records in misdemeanor and felony cases; to authorize the clerk of court to collect the expungement processing fee; to provide for an administrative fee; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Robideaux, the bill was returned to the calendar.

## Page 4 HOUSE

15th Day's Proceedings - April 22, 2010

### **SENATE BILL NO. 143—**

BY SENATOR LONG

AN ACT

To designate Louisiana Highway 118 from Florien to Kisatchie as the "Louisiana Maneuvers Highway"; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.

### **SENATE BILL NO. 201—**

BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 33:9091.15(F)(3)(c), relative to Orleans Parish; to provide for renewal elections of parcel fees for the Oak Island Neighborhood Improvement District; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

### **SENATE BILL NO. 202—**

BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 33:9080.3(F)(3)(c), relative to Orleans Parish; to provide for renewal elections of parcel fees for the Lakewood East Security and Neighborhood Improvement District; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

### **SENATE BILL NO. 206—**

BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 47:463.24(D), relative to special license plates for retired law officers; to provide for eligibility; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.

### **SENATE BILL NO. 254—**

BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 33:1418, relative to hybrid or alternative fuel vehicles; to allow political subdivisions to purchase or lease hybrid fuel or alternative fuel vehicles; to provide for exceptions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

### **SENATE BILL NO. 342—**

BY SENATORS MARIONNEAUX AND THOMPSON

AN ACT

To amend and reenact R.S. 51:1423(A), (D) and (E), and to enact R.S. 51:1423(F), relative to gift certificates; to provide for cash redemption of remaining value under a certain amount; to eliminate certain exemptions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Commerce.

### **SENATE BILL NO. 338—**

BY SENATOR MARIONNEAUX

AN ACT

To authorize and provide for the transfer of certain state property; to authorize the transfer of certain state property in West Baton Rouge Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Natural Resources and Environment.

### **SENATE BILL NO. 483—**

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 56:110.1, relative to the Quality Deer Management Program; to create the Quality Deer Management Program; to provide for the management of the program; to provide for the powers and duties of the Department of Wildlife and Fisheries; to provide for eligibility requirements; to provide terms and conditions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Natural Resources and Environment.

### **SENATE BILL NO. 492—**

BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 42:1124.3(A) and to enact R.S. 42:1124.2.1(A)(4), relative to financial disclosure; to provide that members of the governing or management board of a charter school are subject to certain financial disclosure requirements; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on House and Governmental Affairs.

### **SENATE BILL NO. 506—**

BY SENATORS CROWE, ALARIO, APPEL, CHEEK, CLAITOR, DORSEY, DUPLESSIS, B. GAUTREAUX, LONG, MURRAY, NEVERS, PETERSON, QUINN, RISER, SHAW, THOMPSON AND WALSWORTH AND REPRESENTATIVE ARNOLD

AN ACT

To enact R.S. 47:463.141, relative to motor vehicle special prestige license plates; to honor the 2009 World Champion New Orleans Saints; to provide for the creation and issuance of such plates; to provide for the design of such plates; to provide relative to the fee and application of the fee for such plates; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.

### **SENATE BILL NO. 602—**

BY SENATOR B. GAUTREAUX

AN ACT

To enact R.S. 11:447(F), 786(F), and 1152(M), relative to state retirement systems; to restrict participation in the Deferred Retirement Option Plan; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Retirement.

**SENATE BILL NO. 629—**  
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 56:104(A)(9) and 302.1(H), relative to nonresident hunting and fishing licenses; to remove reciprocity provisions regarding the purchase of hunting and fishing licenses; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Natural Resources and Environment.

**SENATE BILL NO. 673—**  
BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 22:46(9)(b), (c), and (d), relative to the commissioner of insurance; to provide for the filing of annual audited statements by certain professional, trade, and occupational or public liability trust funds; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Insurance.

**SENATE BILL NO. 684—**  
BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 28:53(G)(2) and to enact R.S. 28:53(G)(7), relative to coroners; to provide relative to admission by emergency certificate and the coroner's seventy-two-hour rule regarding patients who are out of the parish at the time of commitment; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

**House and House Concurrent Resolutions  
Reported by Committee**

The following House and House Concurrent Resolutions reported by committee were taken up and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 7—**  
BY REPRESENTATIVE LEGER

A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2011 Regular Session of the Legislature of Louisiana the provisions of R.S. 49:214.6.6, relative to the Infrastructure Priority Program.

Read by title.

Reported favorably by the Committee on Natural Resources and Environment.

On motion of Rep. Dove, the resolution was ordered engrossed and passed to its third reading.

**HOUSE CONCURRENT RESOLUTION NO. 28—**  
BY REPRESENTATIVE DOVE

A CONCURRENT RESOLUTION

To approve the annual state integrated coastal protection plan for Fiscal Year 2010-2011, as adopted by the Coastal Protection and Restoration Authority.

Read by title.

Reported favorably by the Committee on Natural Resources and Environment.

On motion of Rep. Dove, the resolution was ordered engrossed and passed to its third reading.

**HOUSE CONCURRENT RESOLUTION NO. 44—**  
BY REPRESENTATIVE HENRY

A CONCURRENT RESOLUTION

To urge and request the Coastal Protection and Restoration Authority to study the economic feasibility and practicality of the state authorizing tax credits for certain costs and expenses attributable to the mitigation of deterioration of coastal property, and to report its findings to the House ways and means and natural resources and environment committees and the Senate revenue and fiscal affairs and natural resources committees prior to the convening of the 2011 Regular Session of the Legislature.

Read by title.

Reported with amendments by the Committee on Natural Resources and Environment.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Natural Resources and Environment to Original House Concurrent Resolution No. 44 by Representative Henry

AMENDMENT NO. 1

On page 1, line 2, change "Department of Natural Resources and the Office of Coastal" to "Coastal Protection and Restoration Authority"

AMENDMENT NO. 2

On page 1, line 3, delete "Protection and Restoration"

AMENDMENT NO. 3

On page 2, delete line 9 in its entirety and insert in lieu thereof the following:

"WHEREAS, the Coastal Protection and Restoration Authority"

AMENDMENT NO. 4

On page 2, line 10, delete "Protection and Restoration"

AMENDMENT NO. 5

On page 2, delete line 14 in its entirety and insert in lieu thereof the following:

"urge and request the Coastal Protection and Restoration Authority"

AMENDMENT NO. 6

On page 2, line 15, delete "and Restoration"

AMENDMENT NO. 7

On page 2, delete lines 21 and 22 in their entirety and insert in lieu thereof the following:

"the chairman of the Coastal Protection and Restoration Authority."

## Page 6 HOUSE

15th Day's Proceedings - April 22, 2010

On motion of Rep. Dove, the amendments were adopted.

On motion of Rep. Dove, the resolution, as amended, was ordered engrossed and passed to its third reading.

### **HOUSE CONCURRENT RESOLUTION NO. 61—**

BY REPRESENTATIVE DANAHAY

#### **A CONCURRENT RESOLUTION**

To urge and request the Department of State Civil Service to develop and the State Civil Service Commission to adopt an executive service program.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

#### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Original House Concurrent Resolution No. 61 by Representative Danahay

#### AMENDMENT NO. 1

On page 2, line 7, delete "each member of"

On motion of Rep. Gallot, the amendments were adopted.

On motion of Rep. Gallot, the resolution, as amended, was ordered engrossed and passed to its third reading.

### **HOUSE CONCURRENT RESOLUTION NO. 77—**

BY REPRESENTATIVE DANAHAY AND SENATOR DONAHUE

#### **A CONCURRENT RESOLUTION**

To urge and request the Department of State Civil Service to consider certain recommendations made by the Commission on Streamlining Government.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

On motion of Rep. Gallot, the resolution was ordered engrossed and passed to its third reading.

### **HOUSE CONCURRENT RESOLUTION NO. 83—**

BY REPRESENTATIVE HARDY

#### **A CONCURRENT RESOLUTION**

To urge and request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and function as a joint committee to study possible strategies, methods, and policies to discourage the mishandling, misuse, and misappropriation of public funds and procedures to recover public funds which may have been mishandled, misused, or misappropriated.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

On motion of Rep. Gallot, the resolution was ordered engrossed and passed to its third reading.

### **House Bills and Joint Resolutions on Second Reading Reported by Committee**

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

### **HOUSE BILL NO. 35—**

BY REPRESENTATIVE PATRICIA SMITH

#### **AN ACT**

To enact R.S. 15:574.4(A)(4), relative to parole; to provide for eligibility for parole consideration for certain inmates who are at least sixty years of age, have been incarcerated for at least ten years, and have met certain conditions; to provide for exceptions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

#### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 35 by Representative Patricia Smith

#### AMENDMENT NO. 1

On page 1, line 3, after "age" delete "and" and insert a comma ","

#### AMENDMENT NO. 2

On page 1, line 4, after "years" delete the semi-colon ";" and insert a comma "," and "and have met certain conditions;"

#### AMENDMENT NO. 3

On page 1, line 18, after "years" delete the period ".", delete the remainder of line 18, delete line 19 in its entirety, and insert the following:

"if the following conditions are met:

(a) The offender has not been convicted of a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541, or convicted of an offense which would constitute a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541, regardless of the date of conviction.

(b) The offender has not committed any disciplinary offenses in twelve consecutive months prior to the parole eligibility date.

(c) The offender has completed the mandatory minimum of one hundred hours of pre-release programming in accordance with the provisions of R.S. 15:827.1.

(d) The offender has completed substance abuse treatment as applicable.

(e) The offender has obtained a GED, unless the offender has previously obtained a high school diploma or is deemed by a certified educator as being incapable of obtaining a GED due to a learning disability. If the offender is deemed incapable of obtaining a GED, the offender shall complete at least one of the following: a literacy program, an adult basic education program, or a job skills training program.

(f) The offender has obtained a low-risk level designation determined by a validated risk assessment instrument approved by the secretary of the Department of Public Safety and Corrections."

AMENDMENT NO. 4

On page 2, delete lines 1 and 2 in their entirety

AMENDMENT NO. 5

On page 2, after line 3, add the following:

"Section 2. The provisions of this Act shall only apply to persons convicted on or after August 15, 2010."

On motion of Rep. Wooton, the amendments were adopted.

On motion of Rep. Wooton, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 63—**  
BY REPRESENTATIVE GEYMAN  
AN ACT

To authorize and provide for the transfer or lease of certain state property in Calcasieu Parish to Sidney J. and Sherilyn M. Cormier from the division of administration; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources and Environment.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Natural Resources and Environment to Original House Bill No. 63 by Representative Geymann

AMENDMENT NO. 1

On page 1, delete lines 11 through 35 and delete pages 2 and 3 and on page 4, delete lines 1 through 13 and insert the following:

"Property #1

Parish: Calcasieu

Year for which taxes were not paid: 1921

Name of the tax debtor: L.N. Busby

Complete description of property: Lot 144C-D to 147C-D NE 15-9-10, adjudicated to the State in the name of L. N. Busby for non-payment of 1921 taxes;

Property #2

Parish: Calcasieu

Year for which taxes were not paid: 1921

Name of the tax debtor: John E. Bushong

Complete description of property: Lot 318C-D out of the Gulf Sulphur Co sub of the NE 15-9-10, adjudicated to the State in the name of John E. Bushong for non-payment of 1921 taxes;

Property #3

Parish: Calcasieu

Year for which taxes were not paid: 1921

Name of the tax debtor: J.F. Long and N.L. Camp

Complete description of property: Lot 80C-D Gulf Sulphur Co Sub in the NE 15-9-10, adjudicated to the State in the name of N. F. Camp & J. F. Long for non-payment of 1921 taxes;

Property #4

Parish: Calcasieu

Year for which taxes were not paid: 1921

Name of the tax debtor: Emily Mock Franklin

Complete description of property: Lot 210 C. D. of Gulf Sul. Co. sub NE<sup>4</sup> 15-9-10, adjudicated to the State in the name of Mrs. Emile Mock Franklin for non-payment of 1921 taxes;

Property #5

Parish: Calcasieu

Year for which taxes were not paid: 1921

Name of the tax debtor: W.C.P. Goldfuss

Complete description of property: Lot 560 CD Part of Gulf Sul. Co of N.E. 15-9-10, adjudicated to the State in the name of W. C. P. Goldfuss for non-payment of 1921 taxes;

Property #6

Parish: Calcasieu

Year for which taxes were not paid: 1921

Name of the tax debtor: Carroll C. Hodges

Complete description of property: Lots 46-C to 50CD, inc. Part of Gulf Sulphur Co. sub of NE<sup>4</sup> 15-9-10, adjudicated to the State in the name of Carroll C. Hodges for non-payment of 1921 taxes;

Property #7

Parish: Calcasieu

Year for which taxes were not paid: 1921

Name of the tax debtor: Alice Van Hoosen Jones

Complete description of property: Lot 114C-D to 122C-D Lot 422 Lot 313 to 317C Gulf Sulphur Co. sub of NE<sup>4</sup> 15-9-10, adjudicated to the State in the name of A. V. H. Jones for non-payment of 1921 taxes;

Property #8

Parish: Calcasieu

Year for which taxes were not paid: 1921

Name of the tax debtor: Samuel J. Nichols

Complete description of property: Lots 336C-D to 340C-D Gulf Sulphur Co. sub of NE 15-9-10, adjudicated to the State in the name of Samuel J. Nicholas for non-payment of 1921 taxes;

Property #9

Parish: Calcasieu

Year for which taxes were not paid: 1921

Name of the tax debtor: R. Quinters

Complete description of property: Lots 348C-D out of Gulf Sul. Co. sub of NE<sup>4</sup> 15-9-10, adjudicated to the State in the name of R. Quintero for non-payment of 1921 taxes;

Property #10

Parish: Calcasieu

Year for which taxes were not paid: 1921

Name of the tax debtor: Kate Ryan

Complete description of property: Lot 81CD in NE 15-9-10, adjudicated to the State in the name of Mrs. Kate Ryan for non-payment of 1921 taxes;

Property #11

Parish: Calcasieu

Year for which taxes were not paid: 1921

Name of the tax debtor: F.E. Seffel

Complete description of property: Lot 520D out Gulf Sul. Co. NE<sup>4</sup> 15-9-10, adjudicated to the State in the name of F. E. Seffel for non-payment of 1921 taxes;

Property #12

Parish: Calcasieu

Year for which taxes were not paid: 1921

Name of the tax debtor: Essie Sickles

Complete description of property: Lot 231C being part of Gulf Sulph Co. NE<sup>4</sup> 15-9-10, adjudicated to the State in the name of Mrs. Essie Sickles for non-payment of 1921 taxes;

Property #13

## Page 8 HOUSE

15th Day's Proceedings - April 22, 2010

Parish: Calcasieu

Year for which taxes were not paid: 1921

Name of the tax debtor: W.E. Smith

Complete description of property: Lot 171 C.D. out of NE 15-9-10, adjudicated to the State in the name of W. E. Smith for non-payment of 1921 taxes;

### Property #14

Parish: Calcasieu

Year for which taxes were not paid: 1920

Name of the tax debtor: Karl Carl

Complete description of property: Lot 57C-D in NE<sup>4</sup> -15-9-10, adjudicated to the State in the name of Karl Carl for non-payment of 1919 taxes;

### Property #15

Parish: Calcasieu

Year for which taxes were not paid: 1920

Name of the tax debtor: Normand Deweese

Complete description of property: Lots 219, 220, 221, C.D. in NE<sup>4</sup> -15-9-10, adjudicated to the State in the name of Normand Deweese for non-payment of 1919 taxes;

### Property #16

Parish: Calcasieu

Year for which taxes were not paid: 1920

Name of the tax debtor: Charles Elliston

Complete description of property: Lots 177C.D. to 180C.D. inc in NE<sup>4</sup> -15-9-10, adjudicated to the State in the name of C. A. Elliston for non-payment of 1919 taxes;

### Property #17

Parish: Calcasieu

Year for which taxes were not paid: 1920

Name of the tax debtor: C.A. Hudson

Complete description of property: Lots 150 & 151C.D. in NE<sup>4</sup> -15-9-10, adjudicated to the State in the name of C. A. Hudson for non-payment of 1919 taxes;

### Property #18

Parish: Calcasieu

Year for which taxes were not paid: 1920

Name of the tax debtor: J.B. Keyes

Complete description of property: Lot 78 C-D in NE<sup>4</sup> -15-9-10, adjudicated to the State in the name of J. B. Keyes for non-payment of 1919 taxes;

### Property #19

Parish: Calcasieu

Year for which taxes were not paid: 1920

Name of the tax debtor: Agnes Meyer

Complete description of property: Lot 7 C-D of NE<sup>4</sup> -15(-9-10), adjudicated to the State in the name of Miss Agnes Myers for non-payment of 1919 taxes;

### Property #20

Parish: Calcasieu

Year for which taxes were not paid: 1920

Name of the tax debtor: A.J. Rooney

Complete description of property: Lot 126 C-D in NE<sup>4</sup> 15-9-10, adjudicated to the State in the name of A. J. Rooney for non-payment of 1919 taxes;

### Property #21

Parish: Calcasieu

Year for which taxes were not paid: 1920

Name of the tax debtor: E.R. Sodergren

Complete description of property: Lot 79 C-D in NE<sup>4</sup> -15-9-10, adjudicated to the State in the name of E. R. Sodergren for non-payment of 1919 taxes; and

### Property #22

Parish: Calcasieu

Year for which taxes were not paid: 1921

Name of the tax debtor: W.R. Johnson

Complete description of property: Lots 1562C and 1563C 357C-D 359C-D Gulf Sulphur Co sub of SW NE 15-9-10, adjudicated to the State in the name of W. R. Johnson for non-payment of 1921 taxes."

On motion of Rep. Dove, the amendments were adopted.

On motion of Rep. Dove, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 78—**

BY REPRESENTATIVES LIGI AND ROSALIND JONES

#### **AN ACT**

To amend and reenact R.S. 49:992(B)(2) and (D)(2) and (7), relative to adjudicatory and hearing functions of the division of administrative law and certain state departments; to provide for the adjudication and hearing functions of the Department of Health and Hospitals, the Department of Social Services, and the Department of Education; to provide for the delegation of certain functions and authority to the division of administrative law, except where prohibited by federal law; to require an agency to prove its exempt status; to provide for the transfer of adjudications and the resources related to handling such adjudications; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 78 by Representative Ligi

#### AMENDMENT NO. 1

On page 1, line 18, after "(D)(2)(b)(iii)" insert "and (vi)"

#### AMENDMENT NO. 2

On page 3, line 10, change "thirty" to "thirty-five"

#### AMENDMENT NO. 3

On page 3, line 14, change "thirty" to "thirty-five"

#### AMENDMENT NO. 4

On page 3, between lines 20 and 21 insert the following:

"(v) The division shall adjudicate within seventy-two hours of receipt all appeals related to involuntary discharges from nursing homes.

(vi) Notwithstanding any provision of law to the contrary, an adjudication of a decision by the Department of Health and Hospitals to deny, suspend, or revoke the license of an outpatient abortion facility, ambulatory surgical center, home health agency, hospital, or nursing home, pursuant to R.S. 40:2009.7, 2110, 2116.37, 2141, or 2175.6 shall be heard by a three member panel of division of administrative law judges. This panel shall be deemed to meet the requirements of a panel appointed by the secretary of the Department



of Health and Hospitals. The three member panel shall issue a final decision or order. The final decision or order shall be appealable to the district court for the parish of East Baton Rouge."

#### AMENDMENT NO. 5

On page 4, line 1, delete "to the division"

#### AMENDMENT NO. 6

On page 4, line 2, between "adjudications" and "as provided" insert "to the division"

On motion of Rep. Gallot, the amendments were adopted.

On motion of Rep. Gallot, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 120—**

BY REPRESENTATIVE ROY

AN ACT

To amend and reenact Code of Criminal Procedure Article 894.1(D) and (E)(introductory paragraph), relative to sentencing; to provide for certain obligations of the sentencing court and the Department of Public Safety and Corrections; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

On motion of Rep. Wooton, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 130—**

BY REPRESENTATIVE WHITE

AN ACT

To amend and reenact Code of Criminal Procedure Articles 899(E) and 900(A)(introductory paragraph), relative to procedures following the arrest or summons for a violation of probation; to increase the time period in which a defendant shall be brought before the court for a hearing on a probation violation; to provide for the use of affidavits in determining probable cause; to provide for time limitations; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

#### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 130 by Representative White

#### AMENDMENT NO. 1

On page 1, line 2, delete "Article" and insert "Articles 899(E) and"

#### AMENDMENT NO. 2

On page 1, line 5, after "violation;" and before "and" insert "to

provide for the use of affidavits in determining probable cause; to provide for time limitations;"

#### AMENDMENT NO. 3

On page 1, line 7, delete "Article" and insert "Articles 899(E) and"

#### AMENDMENT NO. 4

On page 1, at the end of line 7, change "is" to "are"

#### AMENDMENT NO. 5

On page 1, delete lines 9 through 13 in their entirety and insert the following:

"Art. 899. Arrest or summons for violation of probation

\* \* \*

~~E. An offender arrested under this article shall be given a prerevocation hearing within a reasonable time after his arrest to determine if there is probable cause to detain him pending a final violation hearing. Within ten days following the arrest of an offender pursuant to the provisions of this Article, the court shall determine if there is probable cause to detain him pending a final violation hearing and shall consider whether to allow the offender bail pending the final hearing. The determination of probable cause may be made without a formal hearing and may be conducted through the use of affidavits.~~

\* \* \*

Art. 900. Violation hearing; sanctions

~~A. After an arrest or service of a summons pursuant to Article 899, the court shall cause the a defendant who continues to be held in custody to be brought before it within ten thirty days for a hearing. If a summons is issued pursuant to Article 899, or if the defendant has been admitted to bail, the court shall set the matter for a violation hearing within a reasonable time. The hearing may be informal or summary. If the court decides that the defendant has violated, or was about to violate, a condition of his probation it may:"~~

On motion of Rep. Wooton, the amendments were adopted.

On motion of Rep. Wooton, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 177—**

BY REPRESENTATIVE POPE

AN ACT

To enact R.S. 17:158(I), relative to education finance; to provide that the state shall pay the cost for transportation of certain students attending nonpublic schools; to provide for conditions; and to provide for related matters.

Read by title.

Reported without action by the Committee on Education with recommendation that it be recommitted to the Committee on Appropriations.

On motion of Rep. Austin Badon, the above bill was ordered recommitted to the Committee on Appropriations.

## Page 10 HOUSE

15th Day's Proceedings - April 22, 2010

### HOUSE BILL NO. 193—

BY REPRESENTATIVES LOPINTO, ANDERS, ARNOLD, BOBBY BADON, BALDONE, BARRAS, BILLIOT, BROSSETT, BURFORD, HENRY BURNS, TIM BURNS, CARTER, CHAMPAGNE, CHANEY, CONNICK, CROMER, DOERGE, DOVE, HARDY, HAZEL, HENDERSON, HENRY, HINES, HOFFMANN, HUTTER, JOHNSON, LABRUZZO, LAMBERT, LEGER, LIGI, LORUSSO, MILLS, MONICA, PEARSON, PUGH, RICHARD, ROBIDEAUX, SCHRODER, SIMON, SMILEY, JANE SMITH, ST. GERMAIN, TALBOT, TEMPLET, THIERRY, WHITE, WILLIAMS, AND WILLMOTT AND SENATORS ALARIO, AMEDEE, APPEL, BROOME, CROWE, DUPLESSIS, HEITMEIER, KOSTELKA, LONG, MARTINY, MICHOT, MOUNT, SHAW, AND THOMPSON

#### AN ACT

To enact Code of Criminal Procedure Article 732.1, relative to subpoenas; to authorize the use of administrative subpoenas for the production of information in investigations of certain sex offenses or in the exploitation of children; to provide for the types of information which may be disclosed pursuant to an administrative subpoena; to provide for information which may not be disclosed pursuant to an administrative subpoena; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 193 by Representative Lopinto

#### AMENDMENT NO. 1

On page 1, line 14, after "general," and before "or" insert "any agency that is a member of the Department of Justice Internet Crimes Against Children Task Force,"

On motion of Rep. Wooton, the amendments were adopted.

On motion of Rep. Wooton, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 194—

BY REPRESENTATIVE PATRICIA SMITH

#### AN ACT

To amend and reenact R.S. 15:571.3(A)(1) and (B)(2)(a) and 574.4(B), relative to criminal sentences of certain offenders; to provide for the earning rate of diminution of sentence for an inmate convicted of a crime of violence; to reduce the percentage of the length of sentence a person convicted of a crime of violence must serve before being eligible for parole; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 194 by Representative Patricia Smith

#### AMENDMENT NO. 1

On page 3, after line 3, add the following:

"Section 2. The provisions of this Act shall only apply to persons convicted on or after August 15, 2010."

On motion of Rep. Wooton, the amendments were adopted.

On motion of Rep. Wooton, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 195—

BY REPRESENTATIVES MILLS, WOOTON, AND PATRICIA SMITH AND SENATOR MARTINY

#### AN ACT

To amend and reenact R.S. 15:574.2(B), (C), (D), (E), and (F) and to enact R.S. 15:574.2(G), relative to the Board of Parole; to change the number of votes required to grant parole to offenders convicted of certain offenses; to provide for applicability; to provide for criteria; to provide for the granting of parole to certain offenders participating in work release programs; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 195 by Representative Mills

#### AMENDMENT NO. 1

On page 2, at the end of line 23, delete the period "." and insert a comma "," and insert "or convicted of an offense which would constitute a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541, regardless of the date of conviction,"

#### AMENDMENT NO. 2

On page 3, delete lines 10 through 13 in their entirety

#### AMENDMENT NO. 3

On page 3, line 14, change "(4)" to "(3)"

On motion of Rep. Wooton, the amendments were adopted.

On motion of Rep. Wooton, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 216—

BY REPRESENTATIVES FOIL AND WILLIAMS

#### AN ACT

To enact Part II of Chapter 43 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:4031, relative to the establishment of a school choice pilot program in certain parishes for certain students with exceptionalities; to provide for the purpose of the program; to provide program eligibility requirements for participating students and nonpublic schools; to provide for program administration, implementation, and

reporting; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 216 by Representative Foil

##### AMENDMENT NO. 1

On page 1, line 7, after "reporting;" and before "and to" delete "to provide for effectiveness;"

##### AMENDMENT NO. 2

On page 2, line 5, change "2010-2011" to "2011-2012"

##### AMENDMENT NO. 3

On page 2, line 7, after "The student" delete the remainder of the line and delete line 8 and insert "has been evaluated by a local education agency as defined in R.S. 17:1942, is determined to be in need of services, and has an Individual Education Plan."

##### AMENDMENT NO. 4

On page 2, between lines 11 and 12, insert the following:

"(d) The student is not deemed to be gifted or talented."

##### AMENDMENT NO. 5

On page 2, line 19, after "for" and before "an" delete "and receive"

##### AMENDMENT NO. 6

On page 2, line 21, after "department" and before "The" delete the period "." and insert "upon verification from the school that the student is enrolled in the school."

##### AMENDMENT NO. 7

On page 2, at the end of line 24, delete the period "." and add the following:

"but shall not exceed the amount of tuition charged by the eligible nonpublic school. The funds to be paid for a certificate shall be divided into four equal payments to be made to each participating school in September, November, February, and May of each school year. Payments shall be based on per pupil count dates as determined by the department."

##### AMENDMENT NO. 8

On page 2, at the beginning of line 27, change "D." to "D.(1)"

##### AMENDMENT NO. 9

On page 3, at the beginning of line 1, change "(1)" to "(a)"

##### AMENDMENT NO. 10

On page 3, at the beginning of line 4, change "(2)" to "(b)"

##### AMENDMENT NO. 11

On page 3, between lines 5 and 6, insert the following:

"(c) Has existed and provided educational services to students with exceptionalities as defined in R.S. 17:1942, excluding students deemed to be gifted or talented, for at least two years prior to participation in the program and such provision of services shall be pursuant to an established program in place at the school that includes instruction by teachers holding appropriate certification in special education and that is in accordance with a student's Individual Education Plan and rules and regulations developed as required in this Section.

(2) In accordance with time lines as determined by the department, each eligible nonpublic school choosing to participate in the program shall inform the department of the types of student exceptionalities as defined in R.S. 17:1942 that the school is willing to serve. Each school may determine the number of eligible students it will accept in any year of program participation and may establish criteria for enrollment of students. Each school shall have discretion in enrolling eligible students for participation in the program and no school shall be required to accept any eligible student.

(3) No eligible nonpublic school shall require any student seeking to enroll and participate in the program to take an entrance examination.

(4) Prior to enrollment, each eligible nonpublic school shall inform the parent or guardian of an eligible student of all rules, policies, and procedures of such school including but not limited to academic policies and disciplinary policies and procedures. Enrollment of an eligible student in the school shall constitute acceptance of such rules, policies, and procedures by the parent or guardian individually and on behalf of the eligible student. An eligible student may be expelled from the school in accordance with the school's discipline policies or may be disqualified from enrollment if the student is no longer eligible for the program as determined by the department.

(5) Enrollment of eligible students shall be completed by not later than April thirtieth of the school year prior to the year of participation by the school, and the school shall submit a list of all eligible students enrolled in the school to the department by not later than June first of such year.

##### AMENDMENT NO. 12

On page 3, at the end of line 7, change "2011." to "2012."

##### AMENDMENT NO. 13

On page 3, delete lines 19 through 23 in their entirety

On motion of Rep. Austin Badon, the amendments were adopted.

On motion of Rep. Austin Badon, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 218—**

BY REPRESENTATIVE NORTON

AN ACT

To amend and reenact R.S. 15:574.2.1(A)(introductory paragraph) and to enact R.S. 15:574.2.1(G), relative to contact with the Board of Parole; to authorize the warden of the institution where an inmate is incarcerated to contact the Board of Parole for certain purposes; and to provide for related matters.

## Page 12 HOUSE

15th Day's Proceedings - April 22, 2010

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

On motion of Rep. Wooton, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 418—**

BY REPRESENTATIVE GARY SMITH

AN ACT

To amend and reenact R.S. 15:574.2(A), relative to the Board of Parole; to provide relative to the membership of the board; to provide for an ex officio, nonvoting member; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

On motion of Rep. Wooton, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 525—**

BY REPRESENTATIVE FANNIN

AN ACT

To enact R.S. 47:299.21, relative to offset claims against individual income tax refunds; to require the Department of Public Safety and Corrections and the Board of Parole to file such a claim under certain circumstances; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

On motion of Rep. Wooton, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 561—**

BY REPRESENTATIVE BALDONE

AN ACT

To enact R.S. 17:421.13, relative to educational diagnosticians; to provide for a salary supplement for certain public school educational diagnosticians who have acquired certification by the National Certification for Educational Diagnosticians' Board; to provide conditions and guidelines for receiving the supplement; to provide conditions; to provide relative to funding; to provide definitions; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Education to Original House Bill No. 561 by Representative Baldone

### AMENDMENT NO. 1

On page 1, line 2, after "provide" and before "a" insert "for"

### AMENDMENT NO. 2

On page 1, at the beginning of line 6, change "limitations;" to "conditions; to provide relative to funding;"

### AMENDMENT NO. 3

On page 1, line 19, after "diagnosticians" and before "receive" change "shall" to "may"

### AMENDMENT NO. 4

On page 2, line 2, after "salary" delete the remainder of the line and delete lines 3 and 4 in their entirety and insert a period "."

### AMENDMENT NO. 5

On page 2, at the beginning of line 5, change "B.(1)" to "B."

### AMENDMENT NO. 6

On page 2, line 5, after "diagnostician" and before "verified" insert "who meets the requirements of Subsection A of this Section and who has been"

### AMENDMENT NO. 7

On page 2, line 7, after "Board" and before "be" change "shall" to "may"

### AMENDMENT NO. 8

On page 2, delete lines 11 through 20 in their entirety and insert in lieu thereof the following:

"C. A school board may budget, receive, and expend federal funds that are or may be allocated to implement the provisions of this Section. Any such funds received shall be reimbursed according to the provisions of this Section."

### AMENDMENT NO. 9

On page 2, line 28, after "Section" and before "continue" change "shall" to "may"

### AMENDMENT NO. 10

On page 2, at the end of line 29, change the semicolon ";" to a comma ","

### AMENDMENT NO. 11

On page 3, at the beginning of line 1, change "however, such supplement shall" to "and such supplement may"

### AMENDMENT NO. 12

On page 3, delete lines 6 through 9 in their entirety and at the beginning of line 10, change "Section 3." to "Section 2."

On motion of Rep. Austin Badon, the amendments were adopted.

On motion of Rep. Austin Badon, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 617—**

BY REPRESENTATIVE LABRUZZO

AN ACT

To amend and reenact R.S. 46:460.10(A), (B), and (E) and to enact R.S. 46:460.10(F), relative to drug testing of adult recipients of public assistance; to require drug testing for twenty percent of recipients of cash assistance; to prioritize drug testing of pregnant women receiving cash assistance; to establish a cost savings program for drug testing; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 617 by Representative LaBruzzo

AMENDMENT NO. 1

On page 1, line 4, after "for" delete "fifty" and insert "twenty"

AMENDMENT NO. 2

On page 1, line 4, after the semicolon ";," insert "to prioritize drug testing of pregnant women receiving cash assistance;"

AMENDMENT NO. 3

On page 2, line 2, delete "fifty" and insert "twenty"

AMENDMENT NO. 4

On page 2, line 3, after "Program" insert a comma "," and "with a priority on pregnant women."

AMENDMENT NO. 5

On page 2, line 6, delete "fifty" and insert "twenty"

AMENDMENT NO. 6

On page 2, line 7, after the comma "," insert "with a priority on pregnant women."

On motion of Rep. Katz, the amendments were adopted.

On motion of Rep. Katz, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 629—**

BY REPRESENTATIVE DANAHAY

AN ACT

To amend and reenact Chapter 17 of Title 42 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 42:1261 through 1266, relative to the Department of State Civil Service, to provide for the transfer of certain responsibilities relative to employee training programs from the division of administration to the department; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 629 by Representative Danahay

AMENDMENT NO. 1

On page 1, line 5, delete "the department to"

AMENDMENT NO. 2

On page 1, line 5, after "division of administration" insert "to the department"

AMENDMENT NO. 3

On page 2, line 27, between "Department of" and "Civil Service" insert "State"

AMENDMENT NO. 4

On page 3, at the beginning of line 14 delete "In addition, cooperative" and insert "Cooperative"

AMENDMENT NO. 5

On page 3, at the end of line 17 change "hereof" to "of this Section"

On motion of Rep. Gallot, the amendments were adopted.

On motion of Rep. Gallot, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 688—**

BY REPRESENTATIVE FOIL

AN ACT

To amend and reenact R.S. 49:214.6.2(E), relative to the Coastal Protection and Restoration Authority; to authorize the authority to assist in the formation of a coastal science consortium; to provide relative to the membership and governing council of the consortium; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources and Environment.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Natural Resources and Environment to Original House Bill No. 688 by Representative Foil

AMENDMENT NO. 1

On page 2, between lines 14 and 15 insert the following:

"(f) A representative of Nicholls State University appointed by the president."

AMENDMENT NO. 2

On page 2, at the beginning of line 15, change "(f) Three" to "(g) Two"

## Page 14 HOUSE

15th Day's Proceedings - April 22, 2010

### AMENDMENT NO. 3

On page 2, at the beginning of line 18, change "(g)" to "(h)"

On motion of Rep. Dove, the amendments were adopted.

On motion of Rep. Dove, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 706—**

BY REPRESENTATIVE ABRAMSON  
AN ACT

To amend and reenact R.S. 22:2302(A), relative to the Louisiana Citizens Property Insurance Corporation; to require such corporation to provide certain information to applicants for coverage; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Insurance to Original House Bill No. 706 by Representative Abramson

### AMENDMENT NO. 1

On page 1, line 2, after "R.S. 22:2302(A)" delete "and (C) and to enact R.S. 2303(E)," and insert a comma ","

### AMENDMENT NO. 2

On page 1, line 4, after "coverage" delete the remainder of the line, delete lines 5 and 6 in their entirety and at the beginning of line 7, delete "certain information to the corporation;" and insert a semicolon ";"

### AMENDMENT NO. 3

On page 1, line 9, after "R.S. 22:2302(A)" delete "and (C) are" and insert "is"

### AMENDMENT NO. 4

On page 1, at the end of line 9, delete "and R.S." and at the beginning of line 10, delete "22:2302(E) is hereby enacted"

### AMENDMENT NO. 5

On page 1, line 12, after "A." delete "(1)"

### AMENDMENT NO. 6

On page 2, delete lines 3 through 22 in their entirety and insert the following:

"Every application form shall:

(1) Require a disclosure that the applicant may obtain a list of insurance producers and insurance companies that may be able to write his insurance coverage in the private insurance market.

(2) Include the website address to the Louisiana Department of Insurance where such a list may be obtained.

\* \* \*

On motion of Rep. Kleckley, the amendments were adopted.

On motion of Rep. Kleckley, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 739—**

BY REPRESENTATIVE HOFFMANN  
AN ACT

To amend and reenact R.S. 11:710(D); to provide relative to the employment as a full-time teacher of a member of the Teachers' Retirement System of Louisiana who is retired; to provide relative to salary determinations; to provide relative to employment contracts; to provide limitations; to provide relative to the dismissal or discharge of the reemployed retiree; to provide effectiveness; to provide an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education with recommendation that it be recommitted to the Committee on Retirement.

Rep. Austin Badon moved that the above bill be engrossed and recommitted to the Committee on Retirement.

As a substitute motion, Rep. Pearson moved that the bill be engrossed and passed to its third reading.

Rep. Hardy objected.

The vote recurred on the substitute motion.

By a vote of 64 yeas and 21 nays, the House agreed to engross and pass the bill to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 756—**

BY REPRESENTATIVE CHAMPAGNE  
AN ACT

To amend and reenact R.S. 15:572.1(C) and (F) and 572.2, to enact R.S. 42:1124.2.1(A)(4), and to repeal R.S. 15:574.1, relative to the Board of Pardons; to provide relative to compensation, benefits, and certain expenses of board members; to provide relative to certain restrictions on board members; to require disclosure of certain information by board members; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

On motion of Rep. Wooton, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 844—**

BY REPRESENTATIVE GISCLAIR  
AN ACT

To amend and reenact R.S. 49:214.30(A), relative to coastal use permits; to provide for consistency with the state's master plan for coastal protection and restoration activities under such permits; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural

Resources and Environment.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources and Environment to Original House Bill No. 844 by Representative Gisclair

#### AMENDMENT NO. 1

On page 1, line 2, change "R.S. 49:214.3.1(B)(2)(d)" to "R.S. 49:214.30(A)"

#### AMENDMENT NO. 2

On page 1, delete lines 3 and 4 in their entirety and insert in lieu thereof the following:

"for consistency with the state's master plan for coastal protection and restoration activities under such"

#### AMENDMENT NO. 3

On page 1, line 7, change "R.S. 49:214.3.1(B)(2)(d)" to "R.S. 49:214.30(A)"

#### AMENDMENT NO. 4

On page 1, delete lines 9 through 20 in their entirety and on page 2, delete lines 1 through 5 in their entirety and insert in lieu thereof the following:

"§214.30. Coastal use permits

A.(1) No person shall commence a use of state or local concern without first applying for and receiving a coastal use permit. Decisions on coastal use permit applications shall be made by the secretary, except that the local government shall make coastal use permit decisions as to uses of local concern in areas where an approved local program is in effect. Conditions set forth in a coastal use permit shall supersede any and all variances or exceptions granted by the commissioner of conservation in accordance with R.S. 30:4(E)(1) for activities within the coastal zone as defined by R.S. 49:214.24.

(2) Prior to issuance of a coastal use permit, the secretary shall ensure that the activity for which application is being made is consistent with the state's master plan for integrated coastal protection. No activity which is not consistent with the plan shall be granted a coastal use permit. In addition, any permit granted to repair or replace a pipeline shall include a requirement that the pipeline owner, at his cost, shall be responsible to modify the pipeline if an integrated coastal protection project contained in the state coastal master plan requires relocation of the pipeline.

\* \* \*

On motion of Rep. Dove, the amendments were adopted.

On motion of Rep. Dove, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 865—

BY REPRESENTATIVE BURFORD

AN ACT

To enact R.S. 28:827, relative to Medicaid waiver services for active duty military and their immediate family; to provide for waiver services in certain circumstances; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 865 by Representative Burford

#### AMENDMENT NO. 1

On page 1, line 3, after "for" delete "continuation of"

#### AMENDMENT NO. 2

On page 1, line 7, after "families" delete the remainder of the line

#### AMENDMENT NO. 3

On page 1, delete lines 8 through 17 in their entirety and insert the following:

"A. Any active duty member of the armed forces who has been temporarily assigned to work outside of Louisiana and any member of his immediate family who has qualified for and has received Louisiana Medicaid waiver services provided under the New Opportunities Waiver, the Children's Choice Waiver, or any other Medicaid home- and community-based waiver serving persons with developmental disabilities, shall be eligible to receive the next available slot for waiver services upon the member's resumed residence in Louisiana."

On motion of Rep. Katz, the amendments were adopted.

On motion of Rep. Katz, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 918—

BY REPRESENTATIVE PATRICIA SMITH

AN ACT

To amend and reenact R.S. 15:571.3(D) and to enact R.S. 15:571.3(E), relative to diminution of sentence for good behavior; to authorize certain inmates to earn good time for participation in certified treatment and rehabilitation programs; to provide for exceptions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 918 by Representative Patricia Smith

## Page 16 HOUSE

15th Day's Proceedings - April 22, 2010

### AMENDMENT NO. 1

On page 1, after line 19, insert the following:

"Section 2. The provisions of this Act shall only apply to persons convicted on or after August 15, 2010."

On motion of Rep. Wooton, the amendments were adopted.

On motion of Rep. Wooton, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 940—**

BY REPRESENTATIVE MONTUCET

#### A JOINT RESOLUTION

Proposing to amend Article I, Section 17(A) of the Constitution of Louisiana, relative to jury trials in criminal cases; to provide for with respect to the waiver of a trial by jury; to provide that a criminal defendant's waiver of a jury trial shall be contingent upon the prosecution's consent and court approval; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Under the rules, the above bill was ordered engrossed and recommitted to the Committee on Civil Law and Procedure.

### **HOUSE BILL NO. 947—**

BY REPRESENTATIVE RICHMOND

#### A JOINT RESOLUTION

Proposing to amend Article IV, Section 5(E)(introductory paragraph) and (1) of the Constitution of Louisiana, to provide that the Board of Pardons may grant reprieves, commute sentences, issue pardons, and remit fines and forfeitures, subject to veto by the governor; to provide that the recommendations of the board shall become effective twenty days after notification to the governor, unless vetoed by the governor; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Under the rules, the above bill was ordered engrossed and recommitted to the Committee on Civil Law and Procedure.

### **HOUSE BILL NO. 971—**

BY REPRESENTATIVE ABRAMSON

#### AN ACT

To enact R.S. 40:16.3, relative to state property; to authorize and empower the secretary of the Department of Health and Hospitals and the commissioner of administration to lease the John J. Hainkel, Jr., Home and Rehabilitation Center to the New Orleans Home for the Incurables; to specify certain terms and conditions of the lease; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

On motion of Rep. Katz, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 1030—**

BY REPRESENTATIVE ST. GERMAIN

#### AN ACT

To amend and reenact R.S. 40:1232.1(A)(2) and (3) and 1232.3, relative to emergency medical services; to set a maximum fee for an emergency medical technician-basic certification and recertification for any individual who is an employee or volunteer of the state of Louisiana or another public entity, a municipal fire department, a fire protection district, a volunteer fire department, or a municipal law enforcement agency; to exempt certain employees or volunteers of the state of Louisiana or another public entity, a municipal fire department, a fire protection district, or a volunteer fire department from the authority of the Louisiana Emergency Medical Services Certification Commission to conduct disciplinary hearings, request investigations, and initiate prosecution, with certain exceptions and conditions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 1030 by Representative St. Germain

#### AMENDMENT NO. 1

On page 1, line 4, after "employee" insert "or volunteer"

#### AMENDMENT NO. 2

On page 1, line 7, after "employees" insert "or volunteers"

#### AMENDMENT NO. 3

On page 1, line 11, after "prosecution" insert a comma "," and "with certain exceptions and conditions"

#### AMENDMENT NO. 4

On page 1, line 19, after "employee" insert "or volunteer"

#### AMENDMENT NO. 5

On page 2, line 6, after "employee" insert "or volunteer"

#### AMENDMENT NO. 6

On page 3, line 1, after "B." delete "Paragraphs (4), (5), and (6) of Subsection A" and insert in lieu thereof "Except as they relate to scope of practice or patient care issues, Paragraphs (A)(4), (5), and (6)"

#### AMENDMENT NO. 7

On page 3, line 2, after "anyone" insert "who is a volunteer of or"

#### AMENDMENT NO. 8

On page 3, line 7, after "certification" insert a comma "," and

"until the commission has forwarded the nonmedical practice complaint to the local governing body and received a response with investigative results and any disciplinary disposition. In the event that



the local governing body does not send a response or request for extension to the commission within sixty days after receipt of the complaint, the commission may proceed with the powers and duties as defined in Subsection A of this Section. Notwithstanding any law to the contrary, in the event the commission determines that public health and safety would be jeopardized by waiting for a response from the local governing authority, the commission shall have the right to exercise its powers and duties as provided in Subsection A of this Section without receipt of an investigative report from the local governing authority or the expiration of the sixty-day period as provided in this Subsection"

On motion of Rep. Katz, the amendments were adopted.

On motion of Rep. Katz, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 1055—**

BY REPRESENTATIVE RICHMOND

AN ACT

To amend and reenact R.S. 17:221(I) and R.S. 36:649(D), to enact R.S. 17:1871(B)(8) and 3217.1(D), and to repeal R.S. 17:14, relative to adult education; to provide for the school attendance of certain students in adult education programs; to eliminate the division of adult and community education within the Department of Education; to transfer the responsibility for the provision of adult education programs from the State Board of Elementary and Secondary Education to the Board of Supervisors of Community and Technical Colleges and to provide with respect thereto; to provide for the powers, duties, and functions of the Board of Supervisors of Community and Technical Colleges; to provide for an effective date of such transfer; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

#### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Education to Original House Bill No. 1055 by Representative Richmond

##### AMENDMENT NO. 1

On page 1, line 7, after "the" and before "Community" change "Louisiana" to "Board of Supervisors of"

##### AMENDMENT NO. 2

On page 1, line 8, after "Technical" and before "and" change "College System" to "Colleges"

##### AMENDMENT NO. 3

On page 2, at the end of line 23, delete "Colleges system" and insert "College System"

##### AMENDMENT NO. 4

On page 3, line 4, between "appropriated" and "based" insert "therefor"

##### AMENDMENT NO. 5

On page 3, delete lines 5 through 9 in their entirety

On motion of Rep. Austin Badon, the amendments were adopted.

On motion of Rep. Austin Badon, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 1090—**

BY REPRESENTATIVE DOVE

AN ACT

To amend and reenact R.S. 36:351(B), R.S. 38:111, 112, 213, 221, and 226, R.S. 39:366.3(1), 1482(A)(1)(a), R.S. 41:1701.1(D) and 1702(D)(1), and R.S. 49:214.61(A) and to enact R.S. 39:14(7) and R.S. 49:214.5.2(F) and 214.6.10(C), relative to the Office of Coastal Protection and Restoration; to provide relative to responsibilities of the office with coastal levees; to provide relative to immunity for cooperating landowners; to provide for the responsibilities of the office in reclamation of land; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources and Environment.

The committee amendments were read as follows:

#### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Natural Resources and Environment to Original House Bill No. 1090 by Representative Dove

##### AMENDMENT NO. 1

On page 1, line 4, change "R.S. 49:214.6.10(C)" to "R.S. 49:214.5.2(F) and 214.6.10(C)"

##### AMENDMENT NO. 2

On page 8, line 9, change "49:214.6.10(C) is" to "49:214.5.2(F) and 214.6.10(C) are"

##### AMENDMENT NO. 3

On page 8, between lines 9 and 10, insert the following:

"§214.5.2. Functions and responsibilities; Coastal Protection and Restoration Authority

\* \* \*

F. Notwithstanding any law to the contrary, upon approval by the authority, the state, or any political subdivision thereof, may use its own employees or equipment for satisfying any mitigation requirements resulting from or related to an integrated coastal protection project.

\* \* \*"

On motion of Rep. Dove, the amendments were adopted.

On motion of Rep. Dove, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

# Page 18 HOUSE

15th Day's Proceedings - April 22, 2010

## HOUSE BILL NO. 1161—

BY REPRESENTATIVE ROSALIND JONES

AN ACT

To amend and reenact R.S. 24:202(A)(20) and to enact R.S. 24:202(A)(21), relative to the membership of the council of the Louisiana State Law Institute; to provide that certain persons shall serve as ex officio members of the council; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 1161 by Representative Rosalind Jones

#### AMENDMENT NO. 1

On page 1, line 2, after "reenact R.S." delete "24:202(A)(19)," and insert "24:202(A)(20) and to enact R.S. 24:202(A)(21),"

#### AMENDMENT NO. 2

On page 1, delete line 6 and insert the following:

"Section 1. R.S. 24:202(A)(20) is hereby amended and reenacted and R.S. 24:202(A)(21) is hereby enacted to read as follows:"

#### AMENDMENT NO. 3

On page 1, delete lines 12 through 14 and insert the following:

"(20) Two Louisiana members of the National Bar Association to be appointed by the president of the Louisiana Judicial Council of the National Bar Association.

(21) The president of the state chapter of the Louis A. Martinet Society or his designee."

On motion of Rep. Gallot, the amendments were adopted.

On motion of Rep. Gallot, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

## HOUSE BILL NO. 1185—

BY REPRESENTATIVE NOWLIN

AN ACT

To enact Part LXIX of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.321 through 1300.323, relative to long-term care; to provide for legislative findings and purpose; to provide for definitions; to provide for certain reimbursements and procedures in the Medicaid state plan as it relates to long-term care services for the elderly, the disabled, and persons with developmental disabilities; to provide for promulgation of rules by the Department of Health and Hospitals; to provide for a date for promulgation of the rules by the Department of Health and Hospitals; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and

Welfare.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 1185 by Representative Nowlin

#### AMENDMENT NO. 1

On page 2, delete line 21 in its entirety

#### AMENDMENT NO. 2

On page 2, line 22, change "(c)" to "(b)"

#### AMENDMENT NO. 3

On page 2, line 23, change "(d)" to "(c)"

#### AMENDMENT NO. 4

On page 2, line 24, change "(e)" to "(d)"

#### AMENDMENT NO. 5

On page 2, line 25, change "(f)" to "(e)"

#### AMENDMENT NO. 6

On page 2, line 26, change "(g)" to "(f)"

#### AMENDMENT NO. 7

On page 2, line 28, after "who" delete the remainder of the line and insert in lieu thereof "has a developmental disability as defined in R.S. 28:451.2(12)."

#### AMENDMENT NO. 8

On page 3, delete lines 1 and 2 in their entirety

#### AMENDMENT NO. 9

On page 3, line 9, after "to" insert "the"

#### AMENDMENT NO. 10

On page 3, line 12, change "2011" to "2012"

#### AMENDMENT NO. 11

On page 3, delete lines 13 through 19 in their entirety

#### AMENDMENT NO. 12

On page 3, line 20, change "(3)" to "(2)"

On motion of Rep. Katz, the amendments were adopted.

On motion of Rep. Katz, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1271—**

BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To amend and reenact R.S. 40:1232.2(B)(1)(introductory paragraph) and (b) and to enact R.S. 40:1232.2(B)(1)(d) and (e), relative to the Louisiana Emergency Medical Services Certification Commission; to provide for membership; to provide for a date for change of certain membership; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 1271 by Representative St. Germain

**AMENDMENT NO. 1**

On page 2, line 6, after "member" insert "who is, at a minimum, a state-certified emergency medical technician-basic"

On motion of Rep. Katz, the amendments were adopted.

On motion of Rep. Katz, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1300—**

BY REPRESENTATIVE ROSALIND JONES  
AN ACT

To enact R.S. 18:1505.2(H)(2)(g), relative to limits applicable to certain campaign contributions by political committees; to provide for the limit applicable to contributions by a political committee to certain other political committees; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

On motion of Rep. Gallot, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

**HOUSE BILL NO. 1459 (Substitute for House Bill No. 533 by Representative Mills)—**

BY REPRESENTATIVE MILLS

AN ACT

To enact Code of Criminal Procedure Article 573.1, relative to time limitations for initiating prosecutions; to provide relative to time limitations in which to institute prosecution for the crime of exploitation of the infirmed; and to provide for related matters.

Read by title.

On motion of Rep. Arnold, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**House and House Concurrent Resolutions on Third Reading for Final Consideration**

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 33—**

BY REPRESENTATIVE KATZ

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to adopt Senate Joint Resolution 26 disapproving a rule submitted by the Environmental Protection Agency relating to the endangerment finding and the cause or contribute findings for greenhouse gases under Section 202(a) of the Clean Air Act.

Read by title.

Rep. Katz moved the adoption of the resolution.

Rep. Austin Badon objected.

By a vote of 71 yeas and 7 nays, the resolution was adopted.

Ordered to the Senate.

**Acting Speaker Abramson in the Chair**

**HOUSE CONCURRENT RESOLUTION NO. 34—**

BY REPRESENTATIVES KATZ, BILLIOT, HENRY BURNS, CHAMPAGNE, DOVE, GISCLAIR, LITTLE, AND ST. GERMAIN

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to postpone the United States Environmental Protection Agency's effort to regulate greenhouse gas emissions from stationary sources using existing federal Clean Air Act authority until congress adopts a balanced approach to address climate and energy supply issues without crippling the economy.

Called from the calendar.

Read by title.

On motion of Rep. Katz, the resolution was adopted.

Ordered to the Senate.

**Suspension of the Rules**

On motion of Rep. Robideaux, the rules were suspended in order to take up and consider House Bills and Joint Resolutions on Third Reading and Final Passage at this time.

**House Bills and Joint Resolutions on Third Reading and Final Passage**

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

**Local and Consent Calendar**

**HOUSE BILL NO. 46—**

BY REPRESENTATIVE HUTTER

AN ACT

To enact R.S. 17:81(T) and 3996(B)(24), relative to instruction to students in public schools concerning dating violence; to provide applicability; to provide guidelines for such instruction; to provide an effective date; and to provide for related matters.

Read by title.

Rep. Hutter moved the final passage of the bill.

## Page 20 HOUSE

15th Day's Proceedings - April 22, 2010

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Franklin	Monica
Abramson	Gallot	Montoucet
Anders	Geymann	Morris
Arnes	Gisclair	Norton
Arnold	Guillory	Perry
Aubert	Guinn	Ponti
Badon, A.	Hardy	Pope
Badon, B.	Harrison	Pugh
Baldone	Henderson	Richard
Barras	Henry	Richardson
Barrow	Hill	Richmond
Billiot	Hines	Ritchie
Brossett	Hoffmann	Robideaux
Burns, H.	Howard	Schroder
Burrell	Hutter	Smiley
Carmody	Jackson G.	Smith, G.
Carter	Jackson M.	Smith, J.
Champagne	Jones, R.	Smith, P.
Chandler	Kleckley	St. Germain
Chaney	LaFonta	Stiaes
Connick	Lambert	Talbot
Cortez	Landry	Templet
Danahay	LeBas	Thibaut
Dixon	Leger	Thierry
Doerge	Ligi	Waddell
Dove	Little	White
Downs	Lopinto	Williams
Edwards	Lorusso	Willmott
Fannin	McVea	Wooton
Foil	Mills	

Total - 89

#### NAYS

Total - 0

#### ABSENT

Burford	Hazel	Nowlin
Burns, T.	Johnson	Pearson
Cromer	Jones, S.	Roy
Ellington	Katz	Simon
Greene	LaBruzzo	

Total - 14

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hutter moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

### Speaker Tucker in the Chair

#### HOUSE BILL NO. 169—

BY REPRESENTATIVE ROSALIND JONES  
AN ACT

To amend and reenact R.S. 14:108.1(E) and to enact R.S. 14:108.1(F), relative to the crime of aggravated flight from an officer; to amend the criminal penalty for aggravated flight from an officer; to provide for restitution; and to provide for related matters.

Read by title.

Rep. Rosalind Jones moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Franklin	Montoucet
Abramson	Gallot	Morris
Anders	Geymann	Norton
Arnes	Gisclair	Pearson
Arnold	Guillory	Perry
Aubert	Harrison	Ponti
Badon, A.	Hazel	Pope
Badon, B.	Henderson	Pugh
Barras	Henry	Richardson
Barrow	Hill	Richmond
Billiot	Hines	Ritchie
Brossett	Hoffmann	Robideaux
Burns, H.	Howard	Roy
Burrell	Jackson G.	Schroder
Carmody	Jackson M.	Smiley
Carter	Jones, R.	Smith, G.
Champagne	Katz	Smith, J.
Chandler	Kleckley	Smith, P.
Chaney	LaFonta	St. Germain
Cortez	Lambert	Stiaes
Cromer	Leger	Talbot
Danahay	Ligi	Templet
Dixon	Little	Thibaut
Doerge	Lopinto	Thierry
Dove	Lorusso	Waddell
Edwards	McVea	Williams
Fannin	Mills	Willmott
Foil	Monica	Wooton

Total - 84

#### NAYS

Total - 0

#### ABSENT

Baldone	Guinn	LeBas
Burford	Hardy	Nowlin
Burns, T.	Hutter	Richard
Connick	Johnson	Simon
Downs	Jones, S.	White
Ellington	LaBruzzo	
Greene	Landry	

Total - 19

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Rosalind Jones moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

### Consent to Correct a Vote Record

Rep. Cromer requested the House consent to correct his vote on final passage of House Bill No. 169 from nay to yea, which consent was unanimously granted.

#### HOUSE BILL NO. 192—

BY REPRESENTATIVE LITTLE  
AN ACT

To amend and reenact Code of Criminal Procedure Article 871(B)(1)(a) and to enact Code of Criminal Procedure Article 871(B)(2)(f) and (g), relative to fingerprinting of criminal defendants; to require the fingerprints of a defendant to be attached to the bill of information or indictment in a judgment

of guilty in certain cases of domestic abuse battery or failure to pay child support; and to provide for related matters.

Read by title.

Rep. Little sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Little to Engrossed House Bill No. 192 by Representative Little

#### AMENDMENT NO. 1

On page 1, line 5, after "certain" delete the remainder of the line

#### AMENDMENT NO. 2

On page 1, delete line 6 in its entirety and insert "enumerated cases; and to provide for related matters."

#### AMENDMENT NO. 3

On page 2, between lines 8 and 9 insert the following:

"(h) A conviction for violation of protective orders (R.S. 14:79)."

On motion of Rep. Little, the amendments were adopted.

Rep. Little moved the final passage of the bill, as amended.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Franklin	Monica
Abramson	Gallot	Montoucet
Anders	Geymann	Morris
Armes	Gisclair	Norton
Arnold	Guillory	Pearson
Aubert	Harrison	Perry
Badon, A.	Hazel	Ponti
Badon, B.	Henderson	Pope
Barras	Henry	Richard
Barrow	Hill	Richardson
Billiot	Hines	Richmond
Brossett	Hoffmann	Ritchie
Burns, H.	Howard	Robideaux
Burrell	Jackson G.	Schroder
Carmody	Jackson M.	Simon
Carter	Jones, R.	Smiley
Champagne	Jones, S.	Smith, G.
Chandler	Katz	Smith, J.
Chaney	Kleckley	Smith, P.
Connick	LaFonta	St. Germain
Cortez	Lambert	Stiaes
Cromer	Landry	Templet
Danahay	LeBas	Thibaut
Dixon	Leger	Thierry
Doerge	Ligi	Waddell
Dove	Little	White
Downs	Lopinto	Williams
Edwards	Lorusso	Willmott
Fannin	McVea	Wooton
Foil	Mills	

Total - 89

NAYS

Total - 0

#### ABSENT

Baldone	Guinn	Nowlin
Burford	Hardy	Pugh
Burns, T.	Hutter	Roy
Ellington	Johnson	Talbot
Greene	LaBruzzo	

Total - 14

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Little moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### Consent to Correct a Vote Record

Rep. Hutter requested the House consent to record her vote on final passage of House Bill No. 192 as yea, which consent was unanimously granted.

#### **HOUSE BILL NO. 232—** BY REPRESENTATIVE GEYMAN AN ACT

To amend and reenact R.S. 14:43(A)(2), relative to simple rape; to clarify provisions regarding simple rape; and to provide for related matters.

Read by title.

Rep. Geymann moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Franklin	Mills
Abramson	Gallot	Monica
Anders	Geymann	Montoucet
Arnold	Gisclair	Norton
Aubert	Guillory	Nowlin
Badon, A.	Hazel	Pearson
Badon, B.	Henderson	Perry
Barras	Henry	Ponti
Barrow	Hill	Richardson
Billiot	Hines	Richmond
Brossett	Hoffmann	Ritchie
Burford	Howard	Robideaux
Burns, H.	Hutter	Schroder
Burrell	Jackson G.	Simon
Carmody	Jackson M.	Smiley
Carter	Jones, R.	Smith, G.
Champagne	Jones, S.	Smith, J.
Chandler	Katz	Smith, P.
Chaney	Kleckley	St. Germain
Connick	LaFonta	Stiaes
Cortez	Lambert	Talbot
Cromer	Landry	Templet
Danahay	LeBas	Thibaut
Dixon	Leger	Thierry
Doerge	Ligi	Waddell
Downs	Little	White
Edwards	Lopinto	Williams
Fannin	Lorusso	Willmott
Foil	McVea	Wooton

Total - 87

## Page 22 HOUSE

15th Day's Proceedings - April 22, 2010

NAYS		
Total - 0		
ABSENT		
Armes	Guinn	Pope
Baldone	Hardy	Pugh
Burns, T.	Harrison	Richard
Dove	Johnson	Roy
Ellington	LaBruzzo	
Greene	Morris	
Total - 16		
The Chair declared the above bill was finally passed.		
The title of the above bill was read and adopted.		
Rep. Geymann moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.		
<b>HOUSE BILL NO. 343—</b>		
BY REPRESENTATIVE WILLMOTT		
AN ACT		
To amend and reenact R.S. 37:935, relative to the practice of registered nursing; to provide authority for registered nurses to administer anesthetic agents through perineural catheters; and to provide for related matters.		
Read by title.		
Rep. Willmott moved the final passage of the bill.		
ROLL CALL		
The roll was called with the following result:		
YEAS		
Mr. Speaker	Gallot	Nowlin
Abramson	Gisclair	Pearson
Anders	Guillory	Perry
Armes	Harrison	Ponti
Arnold	Hazel	Pope
Aubert	Henry	Richard
Badon, A.	Hill	Richardson
Badon, B.	Hines	Richmond
Baldone	Hoffmann	Ritchie
Barras	Howard	Robideaux
Barrow	Hutter	Roy
Billiot	Jackson G.	Schroder
Burford	Jones, R.	Simon
Burns, H.	Jones, S.	Smiley
Burrell	Katz	Smith, G.
Carmody	Kleckley	Smith, J.
Carter	LaFonta	Smith, P.
Champagne	Lambert	St. Germain
Chaney	Landry	Stiaes
Connick	LeBas	Talbot
Cortez	Leger	Templet
Cromer	Ligi	Thibaut
Danahay	Little	Thierry
Dixon	Lopinto	Waddell
Doerge	Lorusso	White
Dove	McVea	Williams
Downs	Mills	Willmott
Edwards	Monica	Wooton
Foil	Montoucet	
Franklin	Norton	
Total - 88		
NAYS		

Total - 0		
ABSENT		
Brossett	Geymann	Jackson M.
Burns, T.	Greene	Johnson
Chandler	Guinn	LaBruzzo
Ellington	Hardy	Morris
Fannin	Henderson	Pugh
Total - 15		
The Chair declared the above bill was finally passed.		
The title of the above bill was read and adopted.		
Rep. Willmott moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.		
<b>HOUSE BILL NO. 388—</b>		
BY REPRESENTATIVE PATRICIA SMITH		
AN ACT		
To amend and reenact R.S. 17:3973(4) and 3997(B)(1) and (E), relative to teachers transferring to a charter school from a city, parish, or other local public school system; to provide relative to certain leaves of absence for such teachers; to provide definitions; to provide effectiveness; to provide guidelines relative to the transfer of an employee of a city, parish, or other local public school system to a Type 4 charter school; to provide an effective date; and to provide for related matters.		
Read by title.		
Rep. Patricia Smith moved the final passage of the bill.		
ROLL CALL		
The roll was called with the following result:		
YEAS		
Mr. Speaker	Gallot	Montoucet
Abramson	Gisclair	Morris
Anders	Guillory	Nowlin
Arnold	Harrison	Pearson
Aubert	Hazel	Perry
Badon, A.	Henderson	Ponti
Badon, B.	Henry	Pope
Baldone	Hill	Pugh
Barras	Hines	Richard
Barrow	Hoffmann	Richardson
Brossett	Howard	Richmond
Burford	Hutter	Ritchie
Burns, H.	Jackson G.	Robideaux
Burrell	Jackson M.	Roy
Carmody	Jones, R.	Schroder
Carter	Jones, S.	Smiley
Champagne	Katz	Smith, G.
Chandler	Kleckley	Smith, J.
Chaney	LaFonta	Smith, P.
Connick	Lambert	St. Germain
Cortez	Landry	Stiaes
Cromer	LeBas	Talbot
Danahay	Leger	Templet
Doerge	Ligi	Thibaut
Dove	Little	Thierry
Downs	Lopinto	Waddell
Edwards	Lorusso	White
Fannin	McVea	Williams
Foil	Mills	Willmott
Franklin	Monica	Wooton
Total - 90		

## NAYS

Total - 0

## ABSENT

Armes	Geymann	LaBruzzo
Billiot	Greene	Norton
Burns, T.	Guinn	Simon
Dixon	Hardy	
Ellington	Johnson	
Total - 13		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Patricia Smith moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 580—**

BY REPRESENTATIVE PATRICIA SMITH  
AN ACT

To amend and reenact R.S. 17:1945(A) and (B), relative to special schools for students with exceptionalities; to provide for a designation for certain special schools under the jurisdiction of the State Board of Elementary and Secondary Education; to authorize such schools to share services and functions under certain conditions; to allow for the enrollment in such schools of children with orthopedic impairments under certain circumstances; and to provide for related matters.

Read by title.

Rep. Patricia Smith moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

## YEAS

Mr. Speaker	Foil	Montoucet
Abramson	Franklin	Norton
Anders	Gallot	Nowlin
Arnold	Gisclair	Pearson
Aubert	Guillory	Perry
Badon, A.	Harrison	Pope
Badon, B.	Henry	Pugh
Baldone	Hill	Richard
Barras	Hines	Richardson
Barrow	Hoffmann	Richmond
Billiot	Howard	Ritchie
Brossett	Hutter	Robideaux
Burford	Jackson G.	Schroder
Burns, H.	Jackson M.	Simon
Burrell	Jones, R.	Smiley
Carmody	Jones, S.	Smith, G.
Carter	Kleckley	Smith, J.
Champagne	LaFonta	Smith, P.
Chandler	Lambert	St. Germain
Chaney	Landry	Stiaes
Connick	LeBas	Talbot
Cortez	Leger	Templet
Cromer	Ligi	Thibaut
Danahay	Little	Thierry
Doerge	Lopinto	White
Dove	Lorusso	Williams
Downs	McVea	Willmott
Edwards	Mills	Wooton
Fannin	Monica	
Total - 86		

## NAYS

Dixon  
Total - 2

Hazel

## ABSENT

Armes	Guinn	LaBruzzo
Burns, T.	Hardy	Morris
Ellington	Henderson	Ponti
Geymann	Johnson	Roy
Greene	Katz	Waddell
Total - 15		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Patricia Smith moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

**Consent to Correct a Vote Record**

Rep. Dixon requested the House consent to correct his vote on final passage of House Bill No. 580 from yea to nay, which consent was unanimously granted.

**HOUSE BILL NO. 861—**

BY REPRESENTATIVE ARNOLD

## AN ACT

To amend and reenact R.S. 40:1846(B)(3)(f), relative to refrigerants; to authorize the use of a safe alternative to liquefied petroleum gas in motor vehicle air conditioning systems; and to provide for related matters.

Read by title.

Rep. Arnold moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

## YEAS

Mr. Speaker	Foil	Montoucet
Abramson	Franklin	Morris
Anders	Gallot	Norton
Armes	Gisclair	Pearson
Arnold	Guillory	Perry
Aubert	Harrison	Ponti
Badon, A.	Hazel	Pope
Badon, B.	Henderson	Pugh
Baldone	Henry	Richard
Barras	Hill	Richardson
Barrow	Hines	Richmond
Billiot	Hoffmann	Ritchie
Brossett	Howard	Robideaux
Burford	Hutter	Roy
Burns, H.	Jackson G.	Schroder
Burrell	Jackson M.	Simon
Carmody	Jones, R.	Smiley
Carter	Jones, S.	Smith, G.
Champagne	Kleckley	Smith, J.
Chandler	LaFonta	Smith, P.
Chaney	Lambert	St. Germain
Connick	Landry	Stiaes
Cortez	LeBas	Talbot
Cromer	Leger	Templet
Danahay	Ligi	Thibaut
Dixon	Little	Thierry

## Page 24 HOUSE

15th Day's Proceedings - April 22, 2010

Doerge	Lopinto	Waddell
Dove	Lorusso	Williams
Downs	McVea	Willmott
Edwards	Mills	Wooton
Fannin	Monica	
Total - 92		

NAYS

Total - 0

ABSENT

Burns, T.	Guinn	LaBruzzo
Ellington	Hardy	Nowlin
Geymann	Johnson	White
Greene	Katz	
Total - 11		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Arnold moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 891—

BY REPRESENTATIVE LAMBERT

AN ACT

To amend and reenact R.S. 36:231(C)(1), to enact R.S. 30:2011(D)(26), and to repeal R.S. 30:2011(C)(1)(b) and R.S. 36:238(C), relative to the offices within the Department of Environmental Quality; to provide for the purposes for the offices within the Department of Environmental Quality; to provide for the elimination of the office of environmental assessment; and to provide for related matters.

Read by title.

Rep. Lambert moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Monica
Abramson	Gallot	Morris
Anders	Gisclair	Norton
Arnold	Guillory	Nowlin
Aubert	Harrison	Pearson
Badon, A.	Hazel	Perry
Badon, B.	Henderson	Ponti
Baldone	Henry	Pope
Barras	Hill	Pugh
Barrow	Hines	Richard
Billiot	Hoffmann	Richardson
Brossett	Howard	Richmond
Burford	Hutter	Ritchie
Burns, H.	Jackson G.	Roy
Burrell	Jackson M.	Schroder
Carmody	Jones, R.	Simon
Carter	Jones, S.	Smiley
Champagne	Katz	Smith, G.
Chandler	Kleckley	Smith, J.
Chaney	LaFonta	Smith, P.
Connick	Lambert	St. Germain
Cortez	Landry	Stiaes
Cromer	LeBas	Talbot
Danahay	Leger	Templet
Dixon	Ligi	Thibaut

Doerge	Little	Thierry
Dove	Lopinto	Waddell
Downs	Lorusso	Williams
Edwards	McVea	Willmott
Fannin	Mills	Wooton
Total - 90		

NAYS

Total - 0

ABSENT

Armes	Greene	Montoucet
Burns, T.	Guinn	Robideaux
Ellington	Hardy	White
Foil	Johnson	
Geymann	LaBruzzo	
Total - 13		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Lambert moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 892—

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact R.S. 30:2153(5), relative to solid waste management; to provide for the definition of a solid waste disposal facility; and to provide for related matters.

Read by title.

Rep. St. Germain moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	Montoucet
Abramson	Franklin	Norton
Anders	Gallot	Pearson
Arnold	Gisclair	Perry
Aubert	Guillory	Ponti
Badon, A.	Harrison	Pope
Badon, B.	Hazel	Pugh
Baldone	Henderson	Richard
Barras	Henry	Richardson
Barrow	Hill	Richmond
Billiot	Hines	Ritchie
Brossett	Hoffmann	Robideaux
Burford	Howard	Roy
Burns, H.	Jackson G.	Schroder
Burrell	Jackson M.	Smiley
Carmody	Jones, R.	Smith, G.
Carter	Jones, S.	Smith, J.
Champagne	Katz	Smith, P.
Chandler	Kleckley	St. Germain
Chaney	LaFonta	Stiaes
Connick	Landry	Talbot
Cortez	LeBas	Templet
Danahay	Leger	Thibaut
Dixon	Ligi	Thierry
Doerge	Little	Waddell
Dove	Lopinto	Williams
Downs	Lorusso	Willmott
Edwards	McVea	Wooton



Fannin  
Total - 86

Mills

NAYS

Total - 0

ABSENT

Armes  
Burns, T.  
Cromer  
Ellington  
Geymann  
Greene  
Total - 17

Guinn  
Hardy  
Hutter  
Johnson  
LaBruzzo  
Lambert

Monica  
Morris  
Nowlin  
Simon  
White

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. St. Germain moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

#### HOUSE BILL NO. 893—

BY REPRESENTATIVE CHAMPAGNE  
AN ACT

To amend and reenact R.S. 30:2011(D)(3), 2014(A)(1), and 2054(B)(2)(a), relative to the authority to issue a regulatory permit; to provide for the authority of the secretary of the Department of Environmental Quality; to provide for the authority to issue a regulatory permit; and to provide for related matters.

Read by title.

Rep. Champagne moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  
Abramson  
Anders  
Arnold  
Aubert  
Badon, A.  
Badon, B.  
Baldone  
Barras  
Barrow  
Billiot  
Brossett  
Burford  
Burrell  
Carmody  
Carter  
Champagne  
Chandler  
Chaney  
Connick  
Cortez  
Danahay  
Dixon  
Doerge  
Downs  
Edwards  
Fannin  
Foil

Gisclair  
Guillory  
Harrison  
Hazel  
Henderson  
Henry  
Hill  
Hines  
Hoffmann  
Howard  
Hutter  
Jackson G.  
Jackson M.  
Jones, R.  
Jones, S.  
Katz  
Kleckley  
LaFonta  
Lambert  
Landry  
LeBas  
Leger  
Ligi  
Little  
Lopinto  
Lorusso  
McVea  
Mills

Morris  
Norton  
Nowlin  
Pearson  
Perry  
Pope  
Pugh  
Richard  
Richardson  
Richmond  
Ritchie  
Robideaux  
Roy  
Schroder  
Simon  
Smiley  
Smith, G.  
Smith, J.  
Smith, P.  
St. Germain  
Stiaes  
Talbot  
Templet  
Thibaut  
Thierry  
Waddell  
White  
Williams

Franklin  
Gallot  
Total - 90

Monica  
Montoucet

Willmott  
Wooton

NAYS

Total - 0

ABSENT

Armes  
Burns, H.  
Burns, T.  
Cromer  
Dove  
Total - 13

Ellington  
Geymann  
Greene  
Guinn  
Hardy

Johnson  
LaBruzzo  
Ponti

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Champagne moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

#### HOUSE BILL NO. 894—

BY REPRESENTATIVE CHAMPAGNE  
AN ACT

To amend and reenact R.S. 30:2154(B)(2)(a) and to enact R.S. 30:2154(B)(9), relative to regulatory permits; to authorize the secretary of the Department of Environmental Quality to develop regulatory permits for solid waste; to provide for limitations on such authority; to provide for delegation of authority; and to provide for related matters.

Read by title.

Rep. Champagne moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  
Abramson  
Arnold  
Aubert  
Badon, A.  
Badon, B.  
Baldone  
Barras  
Barrow  
Billiot  
Brossett  
Burford  
Burns, H.  
Carmody  
Carter  
Champagne  
Chandler  
Chaney  
Connick  
Cortez  
Cromer  
Danahay  
Doerge  
Dove  
Downs  
Edwards  
Fannin  
Foil

Gisclair  
Guillory  
Harrison  
Hazel  
Henderson  
Henry  
Hill  
Hines  
Hoffmann  
Howard  
Hutter  
Jackson G.  
Jackson M.  
Jones, R.  
Jones, S.  
Katz  
Kleckley  
LaFonta  
Lambert  
Landry  
LeBas  
Leger  
Ligi  
Little  
Lopinto  
Lorusso  
McVea  
Mills

Pearson  
Perry  
Ponti  
Pope  
Pugh  
Richard  
Richardson  
Richmond  
Ritchie  
Robideaux  
Roy  
Schroder  
Simon  
Smiley  
Smith, G.  
Smith, J.  
Smith, P.  
St. Germain  
Stiaes  
Talbot  
Templet  
Thibaut  
Thierry  
Waddell  
White  
Williams  
Willmott  
Wooton

## Page 26 HOUSE

15th Day's Proceedings - April 22, 2010

Franklin  
Gallot  
Total - 88

Monica  
Norton

NAYS

Total - 0

ABSENT

Anders  
Arnes  
Burns, T.  
Burrell  
Dixon  
Total - 15

Ellington  
Geymann  
Greene  
Guinn  
Hardy

Johnson  
LaBruzzo  
Montoucet  
Morris  
Nowlin

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Champagne moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 895—

BY REPRESENTATIVE MORRIS

AN ACT

To amend and reenact R.S. 30:2344(D), to enact R.S. 30:2344(E) and (F), and to repeal R.S. 30:2345, relative to asbestos abatement in schools; to provide for asbestos abatement; to provide for the methods of abatement; to repeal the Louisiana School Asbestos Abatement Commission; and to provide for related matters.

Read by title.

Rep. Morris moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  
Abramson  
Anders  
Aubert  
Badon, A.  
Badon, B.  
Baldone  
Barras  
Barrow  
Billiot  
Brossett  
Burford  
Burns, H.  
Burrell  
Carmody  
Carter  
Champagne  
Chandler  
Chaney  
Connick  
Cortez  
Cromer  
Danahay  
Dixon  
Doerge  
Dove  
Downs  
Edwards  
Fannin

Gisclair  
Guillory  
Guinn  
Harrison  
Hazel  
Henderson  
Henry  
Hill  
Hines  
Hoffmann  
Howard  
Hutter  
Jackson G.  
Jackson M.  
Jones, R.  
Jones, S.  
Katz  
Kleckley  
LaFonta  
Lambert  
Landry  
LeBas  
Leger  
Ligi  
Little  
Lopinto  
Lorusso  
McVea  
Mills

Norton  
Nowlin  
Pearson  
Perry  
Ponti  
Pope  
Pugh  
Richard  
Richardson  
Richmond  
Ritchie  
Robideaux  
Roy  
Schroder  
Simon  
Smiley  
Smith, G.  
Smith, J.  
Smith, P.  
St. Germain  
Stiaes  
Talbot  
Templet  
Thibaut  
Thierry  
Waddell  
White  
Williams  
Willmott

Foil  
Gallot  
Geymann  
Total - 94

Monica  
Montoucet  
Morris

Wooton

NAYS

Arnold  
Total - 1

ABSENT

Arnes  
Burns, T.  
Ellington  
Total - 8

Franklin  
Greene  
Hardy

Johnson  
LaBruzzo

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Morris moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 896—

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact R.S. 30:2023(A), relative to permits, registrations, variances, and licenses; to provide for the term of a solid waste permit for certain solid waste activities; and to provide for related matters.

Read by title.

Rep. St. Germain moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Abramson  
Anders  
Arnold  
Aubert  
Badon, A.  
Badon, B.  
Baldone  
Barras  
Barrow  
Billiot  
Brossett  
Burford  
Burns, H.  
Burrell  
Carmody  
Carter  
Champagne  
Chandler  
Chaney  
Connick  
Cortez  
Cromer  
Danahay  
Dixon  
Doerge  
Dove  
Downs  
Edwards  
Fannin  
Foil

Franklin  
Gallot  
Gisclair  
Guillory  
Guinn  
Harrison  
Hazel  
Hill  
Hines  
Hoffmann  
Howard  
Hutter  
Jackson G.  
Jackson M.  
Jones, R.  
Jones, S.  
Katz  
Kleckley  
LaFonta  
Landry  
LeBas  
Leger  
Ligi  
Little  
Lopinto  
Lorusso  
McVea  
Mills  
Monica  
Montoucet

Norton  
Nowlin  
Pearson  
Perry  
Ponti  
Pope  
Pugh  
Richard  
Richardson  
Richmond  
Ritchie  
Robideaux  
Schroder  
Smiley  
Smith, G.  
Smith, J.  
Smith, P.  
St. Germain  
Stiaes  
Talbot  
Templet  
Thibaut  
Thierry  
Waddell  
White  
Williams  
Willmott  
Wooton

Total - 88

NAYS

Simon  
Total - 1

ABSENT

Mr. Speaker	Greene	LaBruzzo
Armes	Hardy	Lambert
Burns, T.	Henderson	Morris
Ellington	Henry	Roy
Geymann	Johnson	

Total - 14

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. St. Germain moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

#### HOUSE BILL NO. 897—

BY REPRESENTATIVE FOIL

AN ACT

To amend and reenact R.S. 30:2054(B)(8) and R.S. 32:1306(C)(3)(a) and (4), relative to motor vehicle inspection and maintenance programs; to require certain motor vehicle inspections in certain ozone nonattainment areas; and to provide for related matters.

Read by title.

Rep. Foil moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	Monica
Abramson	Franklin	Norton
Anders	Gallot	Pearson
Arnold	Greene	Perry
Aubert	Guillory	Ponti
Badon, A.	Hardy	Pope
Baldone	Hazel	Pugh
Barras	Henderson	Richard
Barrow	Hines	Richmond
Billiot	Hoffmann	Ritchie
Brossett	Howard	Robideaux
Burns, H.	Hutter	Roy
Burrell	Jackson G.	Schroder
Carmody	Jackson M.	Simon
Carter	Jones, R.	Smiley
Champagne	Jones, S.	Smith, G.
Chandler	Katz	Smith, J.
Chaney	Kleckley	Smith, P.
Connick	LaFonta	St. Germain
Cortez	Lambert	Stiaes
Cromer	Landry	Talbot
Danahay	LeBas	Templet
Dixon	Ligi	Thierry
Doerge	Little	White
Downs	Lopinto	Williams
Edwards	Lorusso	Willmott
Fannin	McVea	Wooton

NAYS

Badon, B.	Guinn	Thibaut
-----------	-------	---------

Burford	Hill	Waddell
Gisclair	Montoucet	

Total - 8

ABSENT

Armes	Harrison	Mills
Burns, T.	Henry	Morris
Dove	Johnson	Nowlin
Ellington	LaBruzzo	Richardson
Geymann	Leger	

Total - 14

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Foil moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

#### HOUSE BILL NO. 898—

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To enact R.S. 49:191(5)(b) and to repeal R.S. 49:191(3)(h), relative to the Department of Environmental Quality, including provisions to provide for the re-creation of the Department of Environmental Quality and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

Rep. St. Germain moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gisclair	Nowlin
Abramson	Greene	Pearson
Anders	Guillory	Perry
Arnold	Guinn	Ponti
Aubert	Hardy	Pope
Badon, A.	Hazel	Pugh
Badon, B.	Henderson	Richard
Baldone	Henry	Richardson
Barras	Hill	Richmond
Barrow	Hines	Ritchie
Billiot	Hoffmann	Robideaux
Brossett	Howard	Roy
Burford	Hutter	Schroder
Burns, H.	Jackson G.	Simon
Burrell	Jackson M.	Smiley
Carmody	Jones, R.	Smith, G.
Carter	Jones, S.	Smith, J.
Champagne	Katz	Smith, P.
Chandler	Kleckley	St. Germain
Chaney	LaFonta	Stiaes
Connick	Lambert	Talbot
Cortez	Landry	Templet
Cromer	LeBas	Thibaut
Danahay	Leger	Thierry
Dixon	Little	Waddell
Doerge	Lopinto	White
Edwards	Lorusso	Williams
Fannin	Mills	Willmott
Foil	Monica	Wooton
Gallot	Morris	

## Page 28 HOUSE

15th Day's Proceedings - April 22, 2010

Total - 89

NAYS

Total - 0

ABSENT

Armes	Franklin	Ligi
Burns, T.	Geymann	McVea
Dove	Harrison	Montoucet
Downs	Johnson	Norton
Ellington	LaBruzzo	
Total - 14		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. St. Germain moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 1163—

BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To enact R.S. 30:2022(D), relative to issuance of permits by the Department of Environmental Quality; to require written summaries of certain permit renewals, extensions, and modifications; to provide for preliminary review of certain draft permits, modifications, and revisions by permit applicants; and to provide for related matters.

Read by title.

Rep. Waddell, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 1163 by Representative St. Germain

#### AMENDMENT NO. 1

On page 1, line 13, following "Environmental" change "Protection" to "Management"

#### AMENDMENT NO. 2

On page 1, line 14, following "and" and before "Organizations" change "Management" to "Protection"

#### AMENDMENT NO. 3

On page 2, line 21, before the "." change "Subsections" to "Subsection"

On motion of Rep. Waddell, the amendments were adopted.

Rep. St. Germain moved the final passage of the bill, as amended.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gisclair	Morris
Abramson	Greene	Nowlin
Anders	Guillory	Pearson

Arnold	Guinn	Perry
Aubert	Hazel	Ponti
Badon, A.	Henderson	Pope
Badon, B.	Henry	Pugh
Baldone	Hill	Richard
Barras	Hines	Richardson
Barrow	Hoffmann	Richmond
Billiot	Howard	Ritchie
Brossett	Hutter	Robideaux
Burford	Jackson G.	Roy
Burns, H.	Jackson M.	Schroder
Burrell	Jones, R.	Simon
Carmody	Jones, S.	Smiley
Carter	Katz	Smith, G.
Champagne	Kleckley	Smith, J.
Chandler	LaFonta	Smith, P.
Chaney	Lambert	St. Germain
Connick	Landry	Stiaes
Cortez	LeBas	Talbot
Cromer	Leger	Templet
Danahay	Ligi	Thibaut
Dixon	Little	Thierry
Doerge	Lopinto	Waddell
Downs	Lorusso	White
Edwards	McVea	Williams
Fannin	Mills	Willmott
Foil	Monica	Wooton
Gallot	Montoucet	
Total - 92		

NAYS

Total - 0

ABSENT

Armes	Franklin	Johnson
Burns, T.	Geymann	LaBruzzo
Dove	Hardy	Norton
Ellington	Harrison	
Total - 11		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. St. Germain moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 1244—

BY REPRESENTATIVE BARRAS  
AN ACT

To amend and reenact R.S. 14:27(D)(2), relative to attempted theft; to provide criminal penalties for attempted theft when the value of the thing taken exceeds a certain amount; and to provide for related matters.

Read by title.

Rep. Barras moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gisclair	Montoucet
Abramson	Greene	Morris
Anders	Guillory	Nowlin
Arnold	Guinn	Pearson
Aubert	Hardy	Perry

Badon, A.	Hazel	Ponti
Badon, B.	Henderson	Pope
Baldone	Henry	Pugh
Barras	Hill	Richard
Barrow	Hines	Richardson
Billiot	Hoffmann	Richmond
Brossett	Howard	Ritchie
Burford	Hutter	Robideaux
Burns, H.	Jackson G.	Roy
Burrell	Jackson M.	Schroder
Carmody	Jones, R.	Simon
Carter	Jones, S.	Smiley
Champagne	Katz	Smith, G.
Chandler	Kleckley	Smith, J.
Chaney	LaFonta	Smith, P.
Connick	Lambert	St. Germain
Cortez	Landry	Stiaes
Cromer	LeBas	Talbot
Danahay	Leger	Templet
Dixon	Ligi	Thibaut
Doerge	Little	Thierry
Edwards	Lopinto	Waddell
Fannin	Lorusso	White
Foil	McVea	Williams
Franklin	Mills	Willmott
Gallot	Monica	Wooton

Total - 93

NAYS

Total - 0

ABSENT

Armes	Ellington	LaBruzzo
Burns, T.	Geymann	Norton
Dove	Harrison	
Downs	Johnson	

Total - 10

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Barras moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### Consent to Correct a Vote Record

Rep. Katz requested the House consent to record her vote on final passage of House Bill No. 1244 as yea, which consent was unanimously granted.

### HOUSE BILL NO. 1255—

BY REPRESENTATIVE AUSTIN BADON  
AN ACT

To amend and reenact R.S. 56:56, relative to seizure of things illegally used or possessed; to authorize the voluntary surrender to the Department of Wildlife and Fisheries of live animals illegally possessed; and to provide for related matters.

Read by title.

Rep. Austin Badon moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gisclair	Nowlin
-------------	----------	--------

Abramson	Greene	Pearson
Anders	Guillory	Perry
Arnold	Guinn	Ponti
Aubert	Hardy	Pope
Badon, A.	Hazel	Pugh
Badon, B.	Henderson	Richard
Baldone	Henry	Richardson
Barras	Hill	Richmond
Barrow	Hines	Ritchie
Billiot	Hoffmann	Robideaux
Brossett	Howard	Roy
Burford	Hutter	Schroder
Burns, H.	Jackson G.	Simon
Burrell	Jackson M.	Smiley
Carmody	Jones, S.	Smith, G.
Champagne	Katz	Smith, J.
Chandler	Kleckley	St. Germain
Chaney	LaFonta	Stiaes
Connick	Lambert	Talbot
Cortez	Landry	Templet
Cromer	Leger	Thibaut
Danahay	Ligi	Thierry
Dixon	Little	Waddell
Downs	Lopinto	White
Edwards	Lorusso	Williams
Fannin	McVea	Willmott
Foil	Mills	Wooton
Franklin	Monica	
Gallot	Montoucet	

Total - 88

NAYS

Smith, P.  
Total - 1

ABSENT

Armes	Ellington	LaBruzzo
Burns, T.	Geymann	LeBas
Carter	Harrison	Morris
Doerge	Johnson	Norton
Dove	Jones, R.	

Total - 14

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Austin Badon moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### Regular Calendar

### HOUSE BILL NO. 766—

BY REPRESENTATIVE TUCKER  
AN ACT

To amend and reenact R.S. 46:2742(B)(introductory paragraph), (2), (5)(d), (7), and (11), relative to the Medicaid case mix reimbursement methodology for nursing homes; to provide for a date for promulgation of rules and regulations; to modify the reimbursement for direct care costs; to change the minimum occupancy penalty; to provide for the frequency of rate rebasing; to provide for an effective date; and to provide for related matters.

Read by title.

### Motion

On motion of Rep. Robideaux, the bill was returned to the calendar.

## Page 30 HOUSE

15th Day's Proceedings - April 22, 2010

### HOUSE BILL NO. 904—

BY REPRESENTATIVE AUSTIN BADON  
AN ACT

To enact R.S. 30:2154(B)(2)(h), relative to solid waste; to provide for the registration and permits of certain solid waste facilities; to provide for buffer zones; to provide for exceptions; and to provide for related matters.

Read by title.

Rep. Waddell, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 904 by Representative Austin Badon

#### AMENDMENT NO. 1

On page 1, line 16, following "shall be" and before "hundred" change "300" to "three"

On motion of Rep. Waddell, the amendments were adopted.

Rep. Austin Badon moved the final passage of the bill, as amended.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Foil	Montoucet
Abramson	Franklin	Nowlin
Anders	Gallot	Pearson
Arnold	Gisclair	Perry
Aubert	Greene	Ponti
Badon, A.	Guillory	Pope
Badon, B.	Hardy	Pugh
Baldone	Hazel	Richardson
Barras	Henderson	Richmond
Barrow	Henry	Ritchie
Billiot	Hill	Robideaux
Brossett	Hines	Roy
Burford	Howard	Schroder
Burns, H.	Hutter	Simon
Burrell	Jackson G.	Smiley
Carmody	Jones, R.	Smith, G.
Carter	Jones, S.	Smith, J.
Champagne	Katz	Smith, P.
Chandler	Kleckley	St. Germain
Chaney	LaFonta	Stiaes
Connick	Lambert	Talbot
Cortez	Landry	Templet
Cromer	Leger	Thierry
Danahay	Ligi	Waddell
Dixon	Little	White
Doerge	Lopinto	Williams
Downs	McVea	Willmott
Edwards	Mills	Wooton
Fannin	Monica	
Total - 86		

#### NAYS

Total - 0

#### ABSENT

Armes	Harrison	Lorusso
-------	----------	---------

Burns, T.  
Dove  
Ellington  
Geymann  
Guinn

Total - 17

Hoffmann  
Jackson M.  
Johnson  
LaBruzzo  
LeBas

Morris  
Norton  
Richard  
Thibaut

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Austin Badon moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 934—

BY REPRESENTATIVE NOWLIN  
AN ACT

To amend and reenact R.S. 17:3367(C), relative to public postsecondary education management boards; to provide relative to the purposes for which public postsecondary education management boards shall use revenues from oil, gas, and mineral leases; to provide relative to certain capital projects; and to provide for related matters.

Read by title.

Rep. Nowlin moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Abramson	Gallot	Nowlin
Anders	Geymann	Perry
Arnold	Gisclair	Pope
Aubert	Guillory	Pugh
Badon, A.	Hazel	Richard
Badon, B.	Henderson	Richardson
Baldone	Hill	Richmond
Barras	Hines	Ritchie
Barrow	Howard	Robideaux
Billiot	Hutter	Roy
Brossett	Jackson G.	Schroder
Burford	Jackson M.	Simon
Burns, H.	Jones, R.	Smiley
Burrell	Jones, S.	Smith, G.
Carmody	Katz	Smith, J.
Carter	Kleckley	Smith, P.
Champagne	LaFonta	St. Germain
Chandler	Lambert	Stiaes
Connick	Landry	Talbot
Cortez	LeBas	Templet
Cromer	Leger	Thibaut
Danahay	Ligi	Thierry
Dixon	Little	Waddell
Doerge	Lopinto	White
Downs	Lorusso	Williams
Edwards	McVea	Willmott
Fannin	Mills	Wooton
Foil	Monica	
Franklin	Morris	
Total - 85		

#### NAYS

Mr. Speaker  
Total - 3

Greene

Pearson

#### ABSENT

Arnes	Guinn	Johnson
Burns, T.	Hardy	LaBruzzo
Chaney	Harrison	Montoucet
Dove	Henry	Norton
Ellington	Hoffmann	Ponti
Total - 15		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Nowlin moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### Consent to Correct a Vote Record

Rep. Jane Smith requested the House consent to record her vote on final passage of House Bill No. 934 as yea, which consent was unanimously granted.

### Consent to Correct a Vote Record

Rep. Henry Burns requested the House consent to record his vote on final passage of House Bill No. 934 as yea, which consent was unanimously granted.

### Consent to Correct a Vote Record

Rep. Cortez requested the House consent to correct his vote on final passage of House Bill No. 934 from nay to yea, which consent was unanimously granted.

### Speaker Pro Tempore Robideaux in the Chair

#### HOUSE BILL NO. 1162—

BY REPRESENTATIVE RICHARD  
AN ACT

To amend and reenact R.S. 18:1300.2(C)(3), 1300.3(C), 1402(C), 1403, 1405(F), 1406(A) and (D), 1409(A)(1), 1410, and 1411, and to enact R.S. 18:1401(E) and 1404(D), relative to procedures for recall elections; to require certain notifications; to provide for actions contesting the certification of a recall petition; and to provide for related matters.

Read by title.

Rep. Richard sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Richard to Engrossed House Bill No. 1162 by Representative Richard

#### AMENDMENT NO. 1

On page 2, line 14, after "certified" and before "a copy" insert a comma ","

#### AMENDMENT NO. 2

On page 4, line 18, after "state" and before "by" delete the comma ","

#### AMENDMENT NO. 3

On page 4, line 19, after "mail" and before "when" delete the comma ","

#### AMENDMENT NO. 4

On page 5, line 9, after "from the ballot" and before "if the ballot" delete the comma ","

On motion of Rep. Richard, the amendments were adopted.

Rep. Richard moved the final passage of the bill, as amended.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Franklin	McVea
Abramson	Gallot	Mills
Anders	Gisclair	Monica
Arnold	Greene	Montoucet
Aubert	Guillory	Morris
Badon, A.	Guinn	Pearson
Badon, B.	Hazel	Perry
Baldone	Henderson	Pope
Barras	Henry	Pugh
Barrow	Hill	Richard
Billiot	Hines	Richardson
Brossett	Hoffmann	Ritchie
Burford	Howard	Robideaux
Burns, H.	Hutter	Simon
Burrell	Jackson G.	Smiley
Carmody	Jackson M.	Smith, G.
Carter	Jones, R.	Smith, J.
Chandler	Jones, S.	Smith, P.
Chaney	Katz	St. Germain
Connick	Kleckley	Stiaes
Cortez	LaFonta	Talbot
Cromer	Lambert	Templett
Danahay	Landry	Thibaut
Dixon	LeBas	Thierry
Doerge	Leger	Waddell
Downs	Ligi	White
Edwards	Little	Williams
Fannin	Lopinto	Willmott
Foil	Lorusso	Wooton
Total - 87		

#### NAYS

Total - 0

#### ABSENT

Arnes	Hardy	Ponti
Burns, T.	Harrison	Richmond
Champagne	Johnson	Roy
Dove	LaBruzzo	Schroder
Ellington	Norton	
Geymann	Nowlin	
Total - 16		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Richard moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

# Page 32 HOUSE

15th Day's Proceedings - April 22, 2010

## HOUSE BILL NO. 766—

BY REPRESENTATIVE TUCKER

### AN ACT

To amend and reenact R.S. 46:2742(B)(introductory paragraph), (2), (5)(d), (7), and (11), relative to the Medicaid case mix reimbursement methodology for nursing homes; to provide for a date for promulgation of rules and regulations; to modify the reimbursement for direct care costs; to change the minimum occupancy penalty; to provide for the frequency of rate rebasing; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Tucker moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Gisclair	Morris
Abramson	Greene	Nowlin
Anders	Guillory	Pearson
Arnold	Guinn	Perry
Aubert	Harrison	Ponti
Badon, A.	Hazel	Pope
Badon, B.	Henderson	Pugh
Barras	Henry	Richard
Barrow	Hill	Richardson
Billiot	Hines	Richmond
Brossett	Hoffmann	Ritchie
Burford	Howard	Robideaux
Burns, H.	Hutter	Roy
Burrell	Jackson G.	Schroder
Carmody	Jackson M.	Simon
Carter	Jones, R.	Smiley
Champagne	Jones, S.	Smith, G.
Chandler	Katz	Smith, J.
Chaney	Kleckley	Smith, P.
Connick	LaFonta	St. Germain
Cortez	Lambert	Stiaes
Cromer	Landry	Talbot
Danahay	LeBas	Templet
Dixon	Leger	Thibaut
Doerge	Ligi	Thierry
Dove	Little	Waddell
Downs	Lopinto	White
Edwards	Lorusso	Williams
Fannin	McVea	Willmott
Foil	Mills	Wooton
Gallot	Monica	
Geymann	Montoucet	
Total - 94		

#### NAYS

Total - 0

#### ABSENT

Armes	Ellington	Johnson
Baldone	Franklin	LaBruzzo
Burns, T.	Hardy	Norton
Total - 9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Tucker moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

## HOUSE BILL NO. 1169—

BY REPRESENTATIVE WHITE

### AN ACT

To enact R.S. 30:2060(O), relative to air quality; to provide for toxic air pollution standards and compliance; to provide for rules and regulations; and to provide for related matters.

Read by title.

Rep. White moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Abramson	Gallot	Montoucet
Anders	Geymann	Morris
Arnold	Gisclair	Nowlin
Aubert	Guillory	Pearson
Badon, A.	Hardy	Perry
Badon, B.	Harrison	Ponti
Baldone	Hazel	Pope
Barras	Henderson	Pugh
Barrow	Henry	Richard
Billiot	Hill	Richardson
Brossett	Hines	Richmond
Burford	Hoffmann	Ritchie
Burns, H.	Howard	Robideaux
Burrell	Hutter	Roy
Carmody	Jackson G.	Schroder
Carter	Jackson M.	Simon
Champagne	Jones, R.	Smith, G.
Chandler	Jones, S.	Smith, P.
Chaney	Katz	St. Germain
Connick	Kleckley	Stiaes
Cortez	LaFonta	Talbot
Cromer	Landry	Thibaut
Danahay	LeBas	Thierry
Dixon	Leger	Waddell
Doerge	Ligi	White
Dove	Little	Williams
Downs	Lopinto	Willmott
Edwards	Lorusso	Wooton
Fannin	McVea	
Foil	Monica	
Total - 88		

#### NAYS

Total - 0

#### ABSENT

Mr. Speaker	Greene	Mills
Armes	Guinn	Norton
Burns, T.	Johnson	Smiley
Ellington	LaBruzzo	Smith, J.
Franklin	Lambert	Templet
Total - 15		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. White moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.



**HOUSE BILL NO. 1180—**

BY REPRESENTATIVE PATRICIA SMITH

**AN ACT**

To enact R.S. 17:351(D), relative to the use of state funds for computer hardware; to permit a city, parish, or other local public school board to use state funds to purchase computer hardware; to provide for effectiveness; and to provide for related matters.

Read by title.

Rep. Patricia Smith moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Abramson	Geymann	Montoucet
Anders	Gisclair	Morris
Arnold	Greene	Pearson
Aubert	Guinn	Perry
Badon, B.	Hardy	Ponti
Baldone	Hazel	Pope
Barras	Henderson	Pugh
Barrow	Henry	Richard
Billiot	Hill	Richardson
Brossett	Hines	Richmond
Burford	Hoffmann	Robideaux
Burns, H.	Howard	Roy
Burrell	Hutter	Schroder
Carmody	Jackson G.	Simon
Carter	Jones, R.	Smith, G.
Champagne	Jones, S.	Smith, J.
Chandler	Katz	Smith, P.
Chaney	Kleckley	St. Germain
Connick	LaFonta	Stiaes
Cortez	Lambert	Talbot
Cromer	Landry	Templet
Danahay	LeBas	Thibaut
Dixon	Leger	Thierry
Doerge	Ligi	Waddell
Downs	Little	White
Edwards	Lopinto	Williams
Fannin	Lorusso	Willmott
Foil	McVea	Wooton
Franklin	Mills	
Gallot	Monica	
Total - 88		

**NAYS**

Total - 0

**ABSENT**

Mr. Speaker	Ellington	LaBruzzo
Armes	Guillory	Norton
Badon, A.	Harrison	Nowlin
Burns, T.	Jackson M.	Ritchie
Dove	Johnson	Smiley
Total - 15		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Patricia Smith moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 1198—**

BY REPRESENTATIVE KATZ

**AN ACT**

To amend and reenact R.S. 17:1518.1(J) and 1519.5(C), R.S. 23:1(A) and 17(A), R.S. 28:821(C) and 824(I), (J)(1)(b), (K), and (L), R.S. 36:258(F), 301(B), 308(B), and 471(B), R.S. 38:2261(C) and (D), R.S. 39:1554(D)(1)(d) and 1595.4(B), (C), and (D), R.S. 40:1300.14(B)(13), R.S. 46:51(2) and (10), 2116.1(1), (2), and (4), 2116.2(A), 2351(A)(introductory paragraph), 2353, 2632(2), 2633(C) and (E), 2634(A) and (B)(1), and 2635(B), R.S. 47:305.15(A) and 360(A), R.S. 48:307(B)(2) and (3), to enact R.S. 23:1(B)(6) and Chapter 15 of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:3001 through 3061, R.S. 36:259(K) and (N), and 309(E), and to repeal R.S. 36:474(F) and 478(C), (D), (E), (G), (I), and (J), Subparts B and C of Part III of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:331 through 373, Chapter 26 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:2101 through 2106, and Chapter 50 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:2651 through 2655, relative to the office of Louisiana Rehabilitation Services within the Department of Social Services; to provide for the transfer of such functions from the Department of Social Services to the Department of Health and Hospitals and the Louisiana Workforce Commission; and to provide for related matters.

Read by title.

Rep. Waddell, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 1198 by Representative Katz

**AMENDMENT NO. 1**

On page 1, line 5, following "(D), R.S." and before ", R.S. 46:512(2)" change "40:1300.14(B)(13)" to "40:1300.14(B)(introductory paragraph) and (13)"

**AMENDMENT NO. 2**

On page 4, line 3, following "Individuals" and before "for vocational" change "with disabilities of this state" to "of this state with disabilities"

**AMENDMENT NO. 3**

On page 5, line 12, beginning of the line, and before "are proper" change "as in the judgment of the department are" to "determined by the department to be"

**AMENDMENT NO. 4**

On page 14, line 2, change "works" to "work"

**AMENDMENT NO. 5**

On page 19, line 7, following "R.S." and before "hereby" change "40:1300.14(B)(13)" to "40:1300.14(B)(introductory paragraph) and (13)"

**AMENDMENT NO. 6**

On page 25, lines 5 and 13, following "as" and before "necessary" change "is" to "are"

## Page 34 HOUSE

15th Day's Proceedings - April 22, 2010

On motion of Rep. Waddell, the amendments were adopted.

Rep. Katz sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Katz to Engrossed House Bill No. 1198 by Representative Katz

#### AMENDMENT NO. 1

On page 10, line 19, after "blind" insert "and"

#### AMENDMENT NO. 2

On page 11, line 22, after "Louisiana," insert "an amount equal to"

#### AMENDMENT NO. 3

On page 13, line 16, after "with the" insert "provisions of the" and change "program" to "Act"

On motion of Rep. Katz, the amendments were adopted.

Rep. Katz moved the final passage of the bill, as amended.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Gallot	Monica
Abramson	Geymann	Montoucet
Anders	Gisclair	Morris
Arnold	Greene	Nowlin
Aubert	Guillory	Pearson
Badon, A.	Gunn	Perry
Badon, B.	Hardy	Ponti
Baldone	Harrison	Pope
Barras	Hazel	Pugh
Barrow	Henderson	Richard
Billiot	Henry	Richardson
Brossett	Hill	Richmond
Burford	Hines	Ritchie
Burns, H.	Hoffmann	Robideaux
Burrell	Howard	Roy
Carmody	Hutter	Schroder
Carter	Jackson G.	Simon
Champagne	Jackson M.	Smith, G.
Chandler	Jones, R.	Smith, J.
Chaney	Katz	Smith, P.
Connick	Kleckley	St. Germain
Cortez	LaFonta	Stiaes
Cromer	Lambert	Talbot
Danahay	Landry	Templet
Dixon	LeBas	Thibaut
Doerge	Leger	Thierry
Dove	Ligi	Waddell
Downs	Little	White
Edwards	Lopinto	Williams
Fannin	Lorusso	Willmott
Foil	McVea	Wooton
Franklin	Mills	
Total - 95		

#### NAYS

Total - 0

#### ABSENT

Armes  
Burns, T.  
Ellington  
Total - 8

Johnson  
Jones, S.  
LaBruzzo

Norton  
Smiley

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Katz moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 1247—

BY REPRESENTATIVES HOFFMANN, ARMES, BOBBY BADON, BARRAS, BILLIOT, BURFORD, TIM BURNS, CARMODY, CHAMPAGNE, CHANDLER, CONNICK, CROMER, DANAHAY, ELLINGTON, FANNIN, GEYMAN, GREENE, GUILLORY, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOWARD, KLECKLEY, LABRUZZO, LAMBERT, LEBAS, LIGI, LITTLE, LOPINTO, MILLS, MONICA, MONTUCET, MORRIS, PEARSON, PERRY, POPE, PUGH, RICHARD, RICHARDSON, SCHRODER, SIMON, SMILEY, JANE SMITH, TALBOT, THIBAUT, WILLMOTT, AND WOOTON AND SENATORS BROOME, HEBERT, KOSTELKA, LONG, MICHOT, QUINN, RISER, SHAW, AND WALSWORTH

#### AN ACT

To enact R.S. 22:1016, relative to health insurance issuers; to provide for legislative intent; to provide for definitions; to provide for a prohibition on insurance coverage of elective abortions; and to provide for related matters.

Read by title.

Rep. Hoffmann sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hoffmann to Engrossed House Bill No. 1247 by Representative Hoffmann

#### AMENDMENT NO. 1

On page 2, line 18, between "abortion" and "for" insert "as defined in R.S. 40:1299.35.1"

On motion of Rep. Hoffmann, the amendments were adopted.

Rep. LaFonta sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LaFonta to Engrossed House Bill No. 1247 by Representative Hoffmann

#### AMENDMENT NO. 1

On page 3, after line 24, insert the following:

"E. The provisions of Subsection C of this Section shall not apply in any case when the unborn child is not viable."

### Speaker Tucker in the Chair

Rep. LaFonta moved the adoption of the amendments.

Rep. Hoffmann objected.

By a vote of 19 yeas and 66 nays, the amendments were rejected.

### Consent to Correct a Vote Record

Rep. Schroder requested the House consent to record his vote on the above floor amendment to House Bill No. 1247 proposed by Rep. LaFonta as nay, which consent was unanimously granted.

Rep. LaFonta sent up floor amendments which were read as follows:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LaFonta to Engrossed House Bill No. 1247 by Representative Hoffmann

#### AMENDMENT NO. 1

On page 2, at the end of line 21, insert the following:

"The term "elective abortion" shall not apply in cases when the pregnancy resulted from an act of forcible rape which was reported to the proper law enforcement authorities or when the pregnancy resulted from an act of incest and the perpetrator has been reported to the proper law enforcement authorities."

Rep. LaFonta moved the adoption of the amendments.

Rep. Hoffmann objected.

By a vote of 21 yeas and 65 nays, the amendments were rejected.

#### Consent to Correct a Vote Record

Rep. Schroder requested the House consent to record his vote on the above floor amendment to House Bill No. 1247 proposed by Rep. LaFonta as nay, which consent was unanimously granted.

Rep. LaFonta sent up floor amendments which were read as follows:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LaFonta to Engrossed House Bill No. 1247 by Representative Hoffmann

#### AMENDMENT NO. 1

On page 3, after line 24, insert the following:

"E. The provisions of Subsection C of this Section shall not apply in any case when giving birth will cause severe and permanent impairment to the physical or psychological health of the mother as determined by a physician or a qualified mental health professional."

Rep. LaFonta moved the adoption of the amendments.

Rep. Hoffmann objected.

By a vote of 17 yeas and 67 nays, the amendments were rejected.

Rep. Hoffmann moved the final passage of the bill, as amended.

#### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Guillory	Nowlin
Anders	Guinn	Pearson
Arnold	Hazel	Perry

Badon, B.

Barras

Barrow

Billiot

Burford

Burns, H.

Carmody

Carter

Champagne

Chandler

Chaney

Connick

Cortez

Cromer

Danahay

Doerge

Downs

Edwards

Fannin

Foil

Geymann

Gisclair

Greene

Total - 76

Henderson

Henry

Hill

Hines

Hoffmann

Howard

Hutter

Jones, S.

Katz

Kleckley

Lambert

Landry

LeBas

Leger

Ligi

Little

Lopinto

Lorusso

McVea

Mills

Monica

Montoucet

Morris

Ponti

Pope

Pugh

Richard

Richardson

Ritchie

Robideaux

Roy

Schroder

Simon

Smiley

Smith, J.

St. Germain

Talbot

Temple

Thibaut

Thierry

Waddell

White

Williams

Willmott

#### NAYS

Badon, A.

Brossett

Burrell

Dixon

Gallot

Total - 13

Hardy

Jackson G.

Jackson M.

Jones, R.

LaFonta

Richmond

Smith, P.

Stiaes

#### ABSENT

Abramson

Arnes

Aubert

Baldone

Burns, T.

Total - 14

Dove

Ellington

Franklin

Harrison

Johnson

LaBruzzo

Norton

Smith, G.

Wooton

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hoffmann moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

#### HOUSE BILL NO. 1253—

BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To enact R.S. 30:2154(B)(2)(h), relative to solid waste disposal facilities; to provide for requirements for commencing operations; to provide for authorization by local governing authorities; to provide for exception; and to provide for related matters.

Read by title.

Rep. Waddell, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 1253 by Representative St. Germain

# Page 36 HOUSE

15th Day's Proceedings - April 22, 2010

## AMENDMENT NO. 1

On page 2, line 5, following "disposing" and before "or" insert "of"

## AMENDMENT NO. 2

On page 2, line 6, following "disposed" and before "on-site" insert "of"

On motion of Rep. Waddell, the amendments were adopted.

Rep. St. Germain sent up floor amendments which were read as follows:

### **HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative St. Germain to Engrossed House Bill No. 1253 by Representative St. Germain

## AMENDMENT NO. 1

On page 1, line 4, change "exception" to "exceptions"

## AMENDMENT NO. 2

On page 2, line 1, change "provision" to "provisions"

## AMENDMENT NO. 3

On page 2, after line 6, insert the following:

"(iv) Facilities disposing of or processing industrial waste generated off-site from facilities under common ownership and control."

On motion of Rep. St. Germain, the amendments were adopted.

Rep. St. Germain moved the final passage of the bill, as amended.

### **ROLL CALL**

The roll was called with the following result:

#### **YEAS**

Mr. Speaker	Geymann	Mills
Anders	Gisclair	Monica
Arnold	Greene	Morris
Aubert	Guillory	Nowlin
Badon, A.	Guinn	Pearson
Badon, B.	Hardy	Perry
Baldone	Hazel	Ponti
Barrow	Henderson	Pope
Billiot	Henry	Pugh
Brossett	Hill	Richard
Burford	Hines	Richardson
Burns, H.	Hoffmann	Ritchie
Burrell	Howard	Robideaux
Carmody	Hutter	Roy
Carter	Jackson M.	Schroder
Champagne	Jones, R.	Simon
Chandler	Jones, S.	Smith, G.
Chaney	Katz	Smith, J.
Connick	Kleckley	Smith, P.
Cortez	LaFonta	St. Germain
Danahay	Lambert	Stiaes
Dixon	Landry	Templett
Doerge	LeBas	Thibaut
Downs	Leger	Thierry
Edwards	Ligi	Waddell

Fannin	Little	White
Foil	Lopinto	Williams
Franklin	Lorusso	Willmott
Gallot	McVea	Wooton

Total - 87

#### **NAYS**

Total - 0

#### **ABSENT**

Abramson	Ellington	Norton
Armes	Harrison	Richmond
Barras	Jackson G.	Smiley
Burns, T.	Johnson	Talbot
Cromer	LaBruzzo	
Dove	Montoucet	

Total - 16

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. St. Germain moved to reconsider the vote by which the above bill failed to pass, and, on her own motion, the motion to reconsider was laid on the table.

### **HOUSE BILL NO. 1292 (Substitute for House Bill No. 718 by Representative Hines)—**

BY REPRESENTATIVE HINES

#### **AN ACT**

To enact R.S. 38:2227, relative to bidders on public projects; to prohibit certain contractors from bidding on public projects; to provide for disqualifying crimes; to provide for criminal background checks; and to provide for related matters.

Read by title.

Rep. Waddell, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

### **HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 1292 by Representative Hines

## AMENDMENT NO. 1

On page 2, line 18, following "shall" and before "if" change "only apply" to "apply only"

## AMENDMENT NO. 2

On page 3, line 1, following "to" and before "costs" change "increases" to "increased" and at the end of the line change "an" to "and"

On motion of Rep. Waddell, the amendments were adopted.

Rep. Hines sent up floor amendments which were read as follows:

### **HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Hines to Engrossed House Bill No. 1292 by Representative Hines

## AMENDMENT NO. 1

On page 1, at the beginning of line 4, delete "criminal background checks;" and insert "proof of false attestations;"

AMENDMENT NO. 2

On page 2, line 20, after "D.(1)" delete the remainder of the line and delete lines 21 through 26 in their entirety and insert in lieu thereof:

"The provisions of this Section shall not impose a duty, responsibility or requirement on a public entity to perform criminal background checks on contractors, vendors or subcontractors. It shall be the responsibility of any person, company or entity making an allegation of false attestation to present prima facie proof to the public entity supporting their claim."

AMENDMENT NO. 3

On page 2, line 27, after "If" and before "evidence" delete "indisputable" and insert "prima facie"

On motion of Rep. Hines, the amendments were adopted.

Rep. Girod Jackson sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Girod Jackson to Engrossed House Bill No. 1292 by Representative Hines

AMENDMENT NO. 1

On page 1, line 18, after "B." delete the remainder of the line and delete lines 19 and 20 in their entirety and insert the following:

"A conviction of or plea of guilty or nolo contendere to the following state crimes or equivalent federal crimes shall bar the bidding entity from bidding on public projects for a period of five years from the date of conviction or from the date of the entrance of the plea of guilty or nolo contendere:

- (a) Theft (R.S. 14:67).
- (b) Identity Theft (R.S. 14:67.16).
- (c) Theft of a business record (R.S. 14:67.20).
- (d) False accounting (R.S. 14:70).
- (e) Issuing worthless checks (R.S. 14:71).
- (f) Bank fraud (R.S. 14:71.1).
- (g) Forgery (R.S. 14:72).
- (h) Contractors; misapplication of payments (R.S. 14:202)
- (i) Public bribery (R.S. 14:118).
- (j) Corrupt influencing (R.S. 14:120).
- (k) Money laundering (R.S. 14:230)."

AMENDMENT NO. 2

On page 2, delete lines 1 through 16 in their entirety.

Rep. Girod Jackson moved the adoption of the amendments.

Rep. Hines objected.

By a vote of 19 yeas and 65 nays, the amendments were rejected.

Rep. Girod Jackson sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Girod Jackson to Engrossed House Bill No. 1292 by Representative Hines

AMENDMENT NO. 1

On page 1, line 2, after "projects;" delete the remainder of the line and delete lines 3 and 4 in their entirety and insert the following:

"to provide for persons performing pre-bid services; to prohibit certain contractors from bidding on public projects; to provide for disqualifying crimes; to provide for criminal background checks; and to provide for related matters."

AMENDMENT NO. 2

On page 1, line 7, after "from" delete "bidding" and insert "bidding; persons performing pre-bid services"

AMENDMENT NO. 3

On page 1, line 9, after "each" and before "bidder" insert "person performing pre-bid services and each"

AMENDMENT NO. 4

On page 1, at the end of line 12, add "person performing pre-bid services and each"

AMENDMENT NO. 5

On page 1, line 19, after "bar" insert "any person from participating in any pre-bid services or"

AMENDMENT NO. 6

On page 2, line 6, after "bar" insert "any person from participating in any pre-bid services or"

AMENDMENT NO. 7

On page 2, line 22, after "to" and before "compete" insert "perform pre-bid services or"

On motion of Rep. Girod Jackson, the amendments were adopted.

**Acting Speaker Arnold in the Chair**

**Motion**

On motion of Rep. Hines, the bill, as amended, was returned to the calendar.

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Edwards gave notice of Rep. Johnson's intention to call House Bill No. 741 from the calendar on Wednesday, April 28, 2010.

**Reports of Committees**

The following reports of committees were received and read:

**Report of the Committee on  
Agriculture, Forestry, Aquaculture, and Rural Development**

---

## Page 38 HOUSE

15th Day's Proceedings - April 22, 2010

---

April 22, 2010

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Agriculture, Forestry, Aquaculture, and Rural Development to submit the following report:

House Bill No. 576, by Mills  
Reported with amendments. (14-0) (Regular)

House Bill No. 840, by Simon  
Reported with amendments. (14-0) (Regular)

House Bill No. 1183, by Ritchie  
Reported by substitute. (14-0) (Regular)

Senate Bill No. 50, by Thompson  
Reported favorably. (13-0) (Regular)

Senate Bill No. 145, by Thompson  
Reported favorably. (12-0) (Regular)

Senate Bill No. 146, by Thompson  
Reported favorably. (12-0) (Regular)

JOHN F. "ANDY" ANDERS  
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

### **Report of the Committee on Judiciary**

April 22, 2010

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Judiciary to submit the following report:

House Concurrent Resolution No. 48, by Richmond  
Reported favorably. (12-0-1)

House Concurrent Resolution No. 70, by Pugh  
Reported favorably. (12-0-1)

House Bill No. 108, by Barras  
Reported favorably. (11-0-1) (Local & Consent)

House Bill No. 124, by Jones, Rosalind  
Reported with amendments. (8-0-1) (Regular)

House Bill No. 429, by Chandler  
Reported with amendments. (11-4) (Regular)

House Bill No. 907, by Arnold  
Reported favorably. (8-0-1) (Local & Consent)

House Bill No. 986, by Abramson  
Reported favorably. (10-0-1) (Local & Consent)

House Bill No. 995, by Howard  
Reported with amendments. (8-0-1) (Regular)

House Bill No. 1013, by Richmond  
Reported with amendments. (8-0-1) (Regular)

House Bill No. 1017, by Waddell  
Reported by substitute. (11-0-1) (Regular)

House Bill No. 1114, by Greene  
Reported with amendments. (10-0-1) (Regular)

House Bill No. 1214, by White  
Reported with amendments. (12-0-1) (Regular)

House Bill No. 1218, by Greene  
Reported with amendments. (11-0-1) (Regular)

House Bill No. 1289, by Thierry  
Reported with amendments. (10-0-1) (Regular)

CEDRIC L. RICHMOND  
Chairman

### **Report of the Committee on Labor and Industrial Relations**

April 22, 2010

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Labor and Industrial Relations to submit the following report:

House Bill No. 873, by Smith, Patricia  
Reported with amendments. (6-0-1) (Regular)

Senate Bill No. 106, by Riser  
Reported favorably. (5-0-1) (Local & Consent)

Senate Bill No. 255, by Chaisson  
Reported favorably. (5-0-1) (Local & Consent)

Senate Bill No. 328, by Murray  
Reported favorably. (6-0-1) (Local & Consent)

Senate Bill No. 398, by Riser  
Reported favorably. (6-0-1) (Local & Consent)

ERICH E. PONTI  
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

### **Report of the Committee on Municipal, Parochial and Cultural Affairs**

April 22, 2010

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Municipal, Parochial and Cultural Affairs to submit the following report:

House Bill No. 70, by Geymann  
Reported with amendments. (13-0) (Regular)

House Bill No. 144, by Geymann  
Reported with amendments. (14-0) (Regular)

House Bill No. 147, by Brossett  
Reported with amendments. (13-0) (Regular)

House Bill No. 437, by Richardson  
Reported with amendments. (13-0) (Regular)

House Bill No. 527, by Jones, Sam  
Reported with amendments. (14-0) (Regular)

House Bill No. 534, by Carter  
Reported favorably. (13-0) (Local & Consent)

House Bill No. 535, by Pugh  
Reported favorably. (13-0) (Local & Consent)

House Bill No. 542, by Richmond  
Reported favorably. (13-0) (Local & Consent)

House Bill No. 560, by Pope  
Reported favorably. (15-0) (Local & Consent)

House Bill No. 714, by Richmond  
Reported with amendments. (16-0) (Regular)

House Bill No. 911, by Simon  
Reported favorably. (13-0) (Local & Consent)

REGINA ASHFORD BARROW  
Chairman

**Report of the Committee on Retirement**

Thursday, April 22, 2010

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Retirement to submit the following report:

House Bill No. 225, by LaBruzzo  
Reported by substitute. (8-0) (Regular)

House Bill No. 230, by Pearson  
Reported by substitute. (9-0) (Regular)

House Bill No. 453, by Robideaux  
Reported with amendments. (9-0) (Regular)

House Bill No. 749, by Pope  
Reported favorably. (8-0) (Local & Consent)

House Bill No. 1126, by Pope  
Reported with amendments. (8-0) (Regular)

J. KEVIN PEARSON  
Chairman

**Privileged Report of the Committee on Enrollment**

April 22, 2010

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

**HOUSE RESOLUTION NO. 33—**  
BY REPRESENTATIVE PATRICIA SMITH  
A RESOLUTION

To commend the honorees of Louisiana State University's 25<sup>th</sup> Annual Black Scholars Program.

**HOUSE RESOLUTION NO. 34—**  
BY REPRESENTATIVE LIGI

A RESOLUTION

To commend Greenlawn Terrace Elementary School upon being honored by the state Department of Education for high academic achievement.

**HOUSE RESOLUTION NO. 35—**  
BY REPRESENTATIVE HOFFMANN

A RESOLUTION

To commend West Monroe High School upon being named a Law Signature School by the Louisiana Center for Law and Civic Education.

Respectfully submitted,

WAYNE WADDELL  
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

**Privileged Report of the Committee on Enrollment**

April 22, 2010

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Concurrent Resolutions have been properly enrolled:

**HOUSE CONCURRENT RESOLUTION NO. 109—**  
BY REPRESENTATIVE WHITE

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to enact legislation that will result in meaningful reforms to the regulation of the financial services industry and enhance investor protection.

Respectfully submitted,

WAYNE WADDELL  
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

**Suspension of the Rules**

On motion of Rep. Lorusso, the rules were suspended to permit the Committee on Civil Law and Procedure to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 94 and 601

**Leave of Absence**

Rep. Timothy Burns - 1/2 day

**Adjournment**

## Page 40 HOUSE

15th Day's Proceedings - April 22, 2010

On motion of Rep. Billiot, at 4:10 P.M., the House agreed to adjourn until Monday, April 26, 2010, at 2:00 P.M.

Acting Speaker Arnold declared the House adjourned until 2:00 P.M., Monday, April 26, 2010.

ALFRED W. SPEER  
Clerk of the House

### Committee Meeting Notices

The following committees posted notices as follows:

#### Committee on Appropriations

Will meet at: 9:00 am Date: April 26, 2010

Location: Committee Room 5

**HB 244 KLECKLEY INSURANCE/HEALTH-ACCID** Provides relative to health insurance coverage for dependent children

**HB 472 MONToucET PUBLIC CONTRACT/BIDS** Prohibits public entities from contracting with unlicensed motor vehicle dealers

**HB 636 GISCLAIR BRIDGES/FERRIES** Authorizes free and unhampered passage on the Tomey J. Doucet Bridge for certain emergency vehicles of the town of Grand Isle

**HB 699 GEYMANN CONTRACTS** Provides for the review and audit process for performance-based energy efficiency contracts

**HB 913 CHAMPAGNE ENVIRONMENT/WATER** Provides for Dept. of Environmental Quality revolving loan programs

**HB 1125 WILLIAMS MTR VEHICLE/LICEN PLATES** Creates the "Share the Road" prestige license plate

James R. "Jim" Fannin  
CHAIRMAN

#### Committee on Civil Law and Procedure

Will meet at: 9:00 am Date: April 26, 2010

Location: Committee Room 2

**HB 94 TALBOT (TBA) INSURANCE/HEALTH** (Constitutional Amendment) Provides relative to health care services (**Subject to Rule Suspension**) (*Technical Review Only*)

**HB 175 EDWARDS MALPRACTICE/MEDICAL** Provides for the medical malpractice cap

**HB 259 GREENE CIVIL/VENUE** Provides relative to the proper venue for a proceeding for modification of support

**HB 264 WILLMOTT MALPRACTICE/MEDICAL** Adds certain persons to the Medical Malpractice Act and the Medical Malpractice Act for State Services

**HB 327 GREENE CIVIL/PROCESS** Provides with respect to service of process by private persons

**HB 394 MILLS MALPRACTICE/MEDICAL** Provides relative

to the Patient's Compensation Fund and its administration by the Patient's Compensation Fund Oversight Board

**HB 427 MILLS MALPRACTICE/MEDICAL** Provides relative to medical malpractice

**HB 601 LEGER (TBA) CIVIL SERVICE/N. O.** (Constitutional Amendment) Provides relative to city civil service (**Subject to Rule Suspension**) (*Technical Review Only*)

**HB 701 WOOTON JUDGMENTS** Provides for grounds for recognition of foreign defamation judgments

**HB 708 CARMODY MALPRACTICE/MEDICAL** Provides relative to medical review panels

**HB 773 ROY LIABILITY/CIVIL** Provides a limitation of liability for prescribed burnings

**HB 785 WOOTON CIVIL/LAW** Provides relative to the application of foreign laws

**HB 1018 WHITE MALPRACTICE/MEDICAL** Provides relative to medical malpractice claims of prisoners

**HB 1159 GREENE HEALTH CARE/RECORDS** Provides relative to fees paid for copying medical records

**HB 1286 LIGI GOVERNMENT ORGANIZATION** Provides relative to the organization and budget of the Patient's Compensation Fund and the Patient's Compensation Fund Oversight Board

Timothy G. "Tim" Burns  
CHAIRMAN

#### Committee on Commerce

Will meet at: 9:30 am Date: April 26, 2010

Location: Committee Room 1

**HB 206 FANNIN BUILDING CODES** Provides for changes to the La. State Uniform Construction Code

**HB 435 PUGH REAL ESTATE/COMMISSION** Authorizes additional uses for monies in the Real Estate Research and Education Fund

**HB 697 RICHARDSON HOUSING/MANUFACTURED** Provides relative to manufactured housing

**HB 700 HAZEL BUILDING CODES** Exempts church camps from enforcement of building code standards

**HB 792 RICHMOND MORTGAGES** Provides for regulation of reverse mortgage lending

**HB 922 PERRY TIME/DAYLIGHT SAVING** Adopts daylight saving time as the standard time

**HB 989 STIAES COUNSELORS** Provides relative to Licensed Marriage and Family Therapists

**HB 1058 GREENE MTR VEHICLE/DEALERS** Requires motor vehicle dealers to disclose, in writing, the nature of certain fees charged upon the sale of a vehicle

**HB 1089 ELLINGTON MFG/MARINE PRODUCTS** Provides relative to the repurchase of marine products



**HB 1130 HARRISON ANIMALS/HORSES** Creates the Louisiana Performance Horse Promotion Act

**HB 1151 JOHNSON CONSUMERS/PROTECTION** Requires that a notice of recall be given to a prospective buyer prior to the purchase of a new vehicle

**HB 1189 WADDELL MOTOR VEHICLES** Provides relative to the La. Used Motor Vehicle Commission

**HCR 99 GUILLORY TELEVISION/EDUCATIONAL** Urges and requests all cable and satellite television providers to provide access to all three La. Public Broadcasting channels

Jeffery "Jeff" J. Arnold  
CHAIRMAN

**Committee on Transportation, Highways, and Public Works**

Will meet at: 9:00 am Date: April 26, 2010

Location: Committee Room 3

**HCR 29 RICHARD HIGHWAYS** Requests DOTD to install a red light at the intersection of North Acadia Road on La. Highway 648 (Percy Brown Road) in Lafourche Parish and to reduce the speed along this route

**HB 268 LABRUZZO TRAFFIC** Requires DOTD to establish traffic control signal specifications

**HB 374 LOPINTO TRAFFIC** Limits fines imposed for traffic offenses captured by automated traffic enforcement systems

**HB 592 HARDY MTR VEHICLE/VIOLATIONS** Revokes driver's license after three DWI convictions

**HB 687 SMILEY MTR VEHICLE/VIOLATIONS** Increases penalties for operators of motor vehicles cited for failure to yield the right-of-way

**HB 724 MILLS MTR VEHICLE/INSPECTION** Increases motor vehicle inspection fees

**HB 938 JACKSON, MICHAEL MTR VEHICLE/INSPECTION** To increase emission inspection fees

**HB 1121 WADDELL TRAFFIC** To require bicycles to have rear flashing lights

**HB 1137 WILLIAMS TRAFFIC** Relative to bicycles

**HB 1149 JACKSON, MICHAEL RAILROADS** Authorizes the DOTD to install video cameras at railroad crossings

**HB 1273 GUINN HIGHWAYS** Directs the Dept. of Transportation and Development to install caution lights and to reduce the speed limit on certain highways

**HB 1294 GUINN HIGHWAYS** Directs the Dept. of Transportation and Development to install "caution" lights and reduce the speed limit on a highway

**HB 1317 BILLIOT STATE AGENCIES** Allows state agencies the option of utilizing DOTD to construct, improve, and repair roads surrounding their offices and other facilities when the agency pays for the work to be performed

**HB 1339 DOWNS MTR VEHICLE/DRIVER LIC** Provides for additional requirements and restrictions for drivers' licenses for minors

Nita Rusich Hutter  
CHAIRWOMAN

**Weekly Committee Schedules**

The following committees posted weekly committee schedules as follows:

**Committee on Administration of Criminal Justice**

April 28, 2010  
Committee Room 6  
9:30 am

INSTRUMENTS TO BE HEARD:

**HCR 9 RICHMOND LAW ENFORCE/CRIM JUS COM** Directs the Louisiana State Law Institute to study finality and accuracy of criminal convictions

**HB 6 THIERRY CRIMINAL/PROCEDURE** Provides that sentences for the crime of aggravated second degree battery shall not be suspended

**HB 16 WOOTON WEAPONS/HANDGUNS** Provides for the certification of concealed handgun permit instructors

**HB 27 HARDY CRIME/ABUSE** Amends penalties for cruelty to juveniles when the offense involves exposure of children to controlled dangerous substances

**HB 30 WOOTON CORRECTIONS** Increases the pool of employees of the Dept. of Public Safety and Corrections who are eligible to be designated as special agents

**HB 42 HARDY WEAPONS/FIREARMS** Increases penalties for carrying a firearm or discharging a firearm during a parade

**HB 43 HARDY DRUGS** Expands drug free zones from 1,000 feet to 2,000 feet from designated properties

**HB 60 WOOTON WEAPONS/HANDGUNS** Amends concealed handgun permit laws

**HB 68 BURNS, HENRY WEAPONS/HANDGUNS** Provides with respect to concealed handgun permits

**HB 141 WOOTON WEAPONS/FIREARMS** Provides that applications to possess or transfer certain firearms may be filed on approved electronic forms

**HB 158 WOOTON WEAPONS/HANDGUNS** Provides with respect to the issuance of concealed handgun permits

**HB 348 LORUSSO WEAPONS/FIREARMS** Amends penalties imposed for a convicted felon in possession of a firearm

**HB 505 RICHMOND CRIMINAL/PROCEDURE** Increases monetary amount for wrongful convictions

**HB 556 WOOTON WEAPONS/HANDGUNS** Amends firearm-free zone provisions with respect to concealed handgun permit holders

**HB 990 THIERRY CORRECTIONS** Amends provisions of the Inmate Rehabilitation and Workforce Development Act

## Page 42 HOUSE

15th Day's Proceedings - April 22, 2010

**HB 1260 HAZEL WEAPONS/FIREARMS** Provides with respect to the possession of a firearm or carrying a concealed weapon by a person convicted of certain felonies

**HB 1272 BURNS, HENRY WEAPONS/HANDGUNS** Authorizes the use of fixed-case marking projectiles for handgun competency training

April 29, 2010  
Committee Room 6  
9:30 am

### INSTRUMENTS TO BE HEARD:

**HB 139 HARD CONTROLLED SUBSTANCES** Requires a designated driver's license or identification card for individuals convicted of certain controlled dangerous substances violations

**HB 201 HINES CRIME/ABUSE** Creates a registry of persons convicted of certain crimes against animals

**HB 213 WILLMOTT CRIME/BURGLARY** Creates the crime of simple burglary of a law enforcement or emergency vehicle

**HB 219 ST. GERMAIN CRIME** Creates the crime of illegally restraining a dog

**HB 314 CARMODY GAMING** Provides technical changes for certain exceptions to gambling related crimes

**HB 316 CARMODY GAMING** Exempts "fantasy competition" from certain gambling crimes

**HB 361 WILLMOTT CRIME/BATTERY** Creates the crime of battery of a health care provider

**HB 408 LEGER CRIME/DOGFIGHTING** Provides for the authorization of certain persons to euthanize dogs seized in connection with dogfighting

**HB 428 LEGER ANIMALS/CRUELTY** Provides with respect to the seizure of animals treated cruelly

**HB 431 HARDY CRIME/SEX OFFENSES** Provides for a life sentence for a second or subsequent conviction of molestation of a juvenile

**HB 502 BALDONE CRIME** Creates the crime of fire-raising in a correctional facility

**HB 514 ST. GERMAIN CRIME/ARSON** Amends the crime of simple arson

**HB 621 PEARSON PARDON/PAROLE** Authorizes warrantless searches of persons on parole supervision by commissioned law enforcement officers

**HB 829 LIGI CRIME** Amends the crime of cruelty to animals

**HB 1155 CONNICK SEX OFFENSE/REGISTRY** Provides relative to sex offender registration and notification provisions

**HB 1314 HARDY CRIME/SEX OFFENSES** Provides with respect to sex offender registration and notification requirements

**HB 1377 HINES SEX OFFENSE/REGISTRY** Prohibits sex offenders from being within one thousand feet of a school

bus stop

**HB 1436 NORTON SEX OFFENSE/REGISTRY** Provides relative to sex offender notification requirements

**HB 1438 SMITH, GARY SEX OFFENSE/REGISTRY** Provides for restrictions on sex offenders

ERNEST D. WOOTON  
Chairman

### **Committee on Education**

April 28, 2010  
Committee Room 1  
9:00 AM

### INSTRUMENTS TO BE HEARD:

**HB 529 SMITH, PATRICIA CURRICULA** Requires instruction with respect to sex education in public schools

**HB 633 SMITH, PATRICIA SCHOOLS/EMPLOYEES** Increases the amount of paid sick leave received by school support workers under certain circumstances

**HB 942 CARTER SCHOOLS/BOARDS** Provides relative to the employment of the local public school superintendent and the authority of the superintendent and the school board for personnel matters

**HB 996 TUCKER HIGHER EDUCATION** (Constitutional Amendment) Abolishes the Board of Regents, LSU board, Southern University board, and UL board and creates the La. University System Board of Trustees

**HB 1033 HOFFMANN TEACHERS** Provides relative to evaluation and assessment programs for teachers and administrators

**HB 1128 LEGER SCHOOLS/CHARTER** Provides relative to charter schools

**HB 1135 GREENE SCHOOLS** Provides school start and end dates for public and approved nonpublic schools

**HB 1209 JONES, ROSALIND TEACHERS/CERTIFICATION** Creates the La. Educator Professional Practices Commission to investigate complaints and allegations of educator sexual misconduct in schools with authority to suspend or revoke teaching and principal's certificates subject to appeal to BESE

**HB 1224 TUCKER HIGHER EDUCATION** Provides relative to the governance, management, and supervision of public institutions of postsecondary education

April 29, 2010  
Committee Room 1  
9:00 AM

### INSTRUMENTS TO BE HEARD:

**HB 1343 NORTON STUDENT/DISCIPLINE** Provides relative to corporal punishment in public elementary and secondary schools

**HB 1437 NORTON STUDENT/SCH ATTENDANCE** Requires school boards to provide for the noon dismissal of students transported by school bus on days when the expected high temperature is 100 degrees or higher

OTHER BUSINESS:

(1) To receive a status report from the presidents of the Louisiana State University, Southern University, University of Louisiana, and Louisiana Community and Technical College systems relative to the effects of the budget cuts on the institutions under their respective management and supervision.

(2) To receive information from the chancellors of Southern University at New Orleans, the University of New Orleans, and Delgado Community College; the presidents of the Louisiana Community and Technical College System and the Southern University System; and the chairman of the Southern University Board of Supervisors and to provide the opportunity for discussion by committee members relative to the New Orleans Higher Education Consortium (NOHEC) proposal.

AUSTIN J. BADON, JR.  
Chairman

**Committee on Health and Welfare**

**April 28, 2010**  
**Committee Room 5**  
**9:00 am**

INSTRUMENTS TO BE HEARD:

- HB 596 MORRIS MEDICAID** Provides for a copayment requirement in the Medicaid program for all nonemergency services provided by a hospital emergency room or emergency department
- HB 616 BARROW HEALTH/DHH** Allows DHH to create a pilot program to provide preterm labor management services for Medicaid-eligible women with high risk pregnancies
- HB 959 HINES HEALTH/HOME CARE** Imposes a moratorium on implementation of the resource allocation models administered by the Department of Health and Hospitals and provides for new implementation recommendations based on national best practices
- HB 1050 RICHMOND ELDERLY** Directs the office of elderly affairs to plan for implementing the Elder Economic Security Standard Index
- HB 1120 JOHNSON HEALTH SERVICES** Extends the moratorium on licensure of additional methadone maintenance programs
- HB 1365 CARMODY CHILD DAY CARE** Provides an exception to the designation of "day care center" for certain entities
- HB 1431 SIMON HEALTH/DHH** Provides relative to health data collection and reporting by the Department of Health and Hospitals

**April 29, 2010**  
**Committee Room 5**  
**9:00 am**

INSTRUMENTS TO BE HEARD:

- HCR 94 RICHARD HEALTH/DHH** Suspends laws providing for the Direct Service Worker Registry
- HB 797 LEBAS FEES/LICENSES/PERMITS** Provides relative to the payment and collection of Medicaid provider fees on

prescription drugs

- HB 1262 MILLS NURSES** Provides for hearings and records of the La. State Board of Nursing
- HB 1370 MILLS ABORTION** Provides for license actions imposed against outpatient abortion facilities
- HB 1443 EDWARDS CONTRACTS** Establishes requirements for contracts for the privatization of services currently provided by facilities operated by the Office of Mental Health

KAY KELLOGG KATZ  
Chairman

**Committee on House and Governmental Affairs**

**April 28, 2010**  
**Committee Room 3**  
**9:00 am**

INSTRUMENTS TO BE HEARD:

- HB 37 SMITH, GARY CORRECTIONS** Reduces the length of time DPS&C is required to retain certain records
- HB 239 KLECKLEY INSURERS** Requires each authorized insurer and health maintenance organization to produce and maintain a written insurance anti-fraud plan
- HB 307 WADDELL PUBLIC RECORDS** Provides relative to application of public records laws to the records of the office of the governor
- HB 499 WADDELL PUBLIC RECORDS** Provides relative to application of public records laws to the records of the office of the governor
- HB 501 WADDELL PUBLIC RECORDS** Provides relative to application of public records laws to the records of the office of the governor
- HB 593 PUGH REAL ESTATE/COMMISSION** Authorizes the La. Real Estate Commission to conduct criminal background checks
- HB 672 LEGER PUBLIC RECORDS** Requires that copies of public records be provided in an electronic format unless it creates an undue burden on the custodian or compromises the security of proprietary software
- HB 731 PUGH PUBLIC RECORDS** Provides a public records exception for certain confidential reports made to the Board of Ethics
- HB 769 PUGH PUBLIC RECORDS** Provides relative to the confidentiality of certain records
- HB 777 MONToucET PUBLIC RECORDS** Provides relative to the definition of "public body" for purposes of public records laws
- HB 949 BALDONE PUBLIC RECORDS** Provides that certain criminal history records are public records and for accessibility thereto
- HB 951 BILLIOT PARISH/WEST BATON ROUGE** Provides relative to code enforcement officers of municipalities and parishes

## Page 44 HOUSE

15th Day's Proceedings - April 22, 2010

**HB 1074 PUGH PUBLIC RECORDS** Provides for the retention and preservation of records

**HB 1216 GALLOT LEGISLATION** Makes technical corrections in various provisions of the Louisiana Revised Statutes

**HB 1279 GALLOT LEGISLATIVE SESSIONS** Relative to extraordinary sessions convened by the presiding officers of the legislature, provides for the procedure and the form of the petition to call such an extraordinary session

**HB 1301 PEARSON PUBLIC RECORDS** Provides that medical records in the custody of a coroner are confidential and exempt from certain public records provisions

**HB 1307 JONES, ROSALIND PUBLIC MEETINGS** Requires a public comment period for each item on a public body's agenda prior to the vote on the item

April 29, 2010  
Committee Room 3  
9:00 AM

### INSTRUMENTS TO BE HEARD:

**HCR 4 FOIL CONSTITUTION/CONVENTION** Creates a commission to study the feasibility of a constitutional convention and makes recommendations relative thereto

**HB 133 HARDY LEGISLATORS** Provides relative to the authority of members of the legislature to attend meetings of public bodies

**HB 157 GREENE GOVERNOR/POWERS-VETO** Requires an agency to notify the author of a bill regarding a veto request

**HB 171 RICHARD LEGISLATIVE SESSIONS** (Constitutional Amendment) Prohibits introduction or consideration of nonfiscal matters during sessions convening in odd-numbered years

**HB 181 GREENE LEGISLATIVE SESSIONS** (Constitutional Amendment) Provides relative to veto sessions

**HB 229 PEARSON RETIREMENT/PUBLIC SYSTEM** (Constitutional Amendment) Relative to public retirement systems, requires a 2/3 vote to enact any changes to retirement provisions having an actuarial cost

**HB 391 ROBIDEAUX LEGISLATION/INSTRUMENTS** (Constitutional Amendment) Provides for prefiling and notice deadlines for bills affecting public retirement systems

**HB 401 HARRISON STUDENT/TUITION** (Constitutional Amendment) Exempts public postsecondary education tuition amounts and mandatory fees from requirements for imposing a new or increasing an existing tax or fee

**HB 567 ABRAMSON CONSTITUTION/AMENDMENT** Provides relative to a constitutional convention

**HB 680 LEGER LEGISLATIVE AUDITOR** Requires local auditees and vendors who collect taxes on behalf of others to have the tax collection and distribution fund audited annually and submit certain sworn statements regarding tax collections to the legislative auditor

**HB 720 RICHMOND REAPPORTIONMENT** Requires the legislature to examine the use of the last known residency

of those who are incarcerated for purposes of legislative reapportionment and redistricting

**HB 767 TUCKER STUDENT/TUITION** (Constitutional Amendment) Exempts public postsecondary education tuition amounts and mandatory fees from requirements for imposing a new or increasing an existing tax or fee

**HB 799 LAMBERT LEGISLATIVE SESSIONS** (Constitutional Amendment) Requires the concurrence of two-thirds of the membership of each house of the legislature for the governor to call the legislature into extraordinary session

**HB 800 LAMBERT LEGISLATIVE SESSIONS** Provides procedures relative to obtaining legislative concurrence for the governor to call the legislature into extraordinary session

**HB 1066 HARDY LEGISLATIVE AUDITOR** Provides relative to audits of certain entities that establish scholastic rules, provides relative to funds considered public funds

**HB 1092 HARRISON LEGISLATIVE AFFAIRS** Provides for a district office allowance for each member to be used for office expenses and legislative assistants

**HB 1200 RICHARD ELECTION CODE** Provides relative to procedures for registration and voting for persons in the U.S. Service and persons residing outside of the U.S.

**HB 1227 SMILEY LEGISLATIVE AUDITOR** Provides relative to surplus funds of licensing boards and commissions

**HB 1249 BROSSETT LEGISLATION** Provides for a date on which new census numbers become the numbers used to determine the applicability of laws that apply to classes of parishes or municipalities based on population criteria

**HB 1390 RICHARD LEGISLATIVE AFFAIRS** Sets per diem for members of the legislature

**HB 1422 FRANKLIN STATE AGENCIES** Provides relative to legislative grants of authority to state agencies

RICHARD "RICK" GALLOT, JR.  
Chairman

### Committee on Insurance

April 20, 2010  
Committee Room 2  
9:30 am

### INSTRUMENTS TO BE HEARD:

**HB 94 TALBOT INSURANCE/HEALTH** (Constitutional Amendment) Provides relative to health care services

**HB 170 LEBAS INSURANCE/HEALTH** Adds worker's compensation insurers to those entities required to generate a remittance advice for each pharmacy claim

**HB 265 BARROW INSURANCE/HEALTH** Requires health insurance coverage of annual screening for sexually transmitted diseases

**HB 337 LEBAS INSURANCE/HEALTH-ACCID** Prohibits health insurance issuers from unilaterally determining fees on pharmacy claims

**HB 1094 ROY INSURANCE/HEALTH-ACCID** Provides relative to cancellation of health and accident coverage by insurers or health maintenance organizations

**HB 1196 CARTER INSURANCE/HEALTH-ACCID** Provides relative to prospective and retrospective review of mandated health insurance benefits

**HB 1233 LABRUZZO INSURANCE/HEALTH** Provides the option for persons licensed or regulated by the state to be insured under a policy of group insurance

**HB 1246 MCVEA INSURANCE/HEALTH** Provides relative to contracts with dental providers

April 21, 2010  
Committee Room 2  
9:30 am

INSTRUMENTS TO BE HEARD:

**HB 442 ST. GERMAIN BONDS** Provides relative to the rate for commercial surety underwriters writing criminal bail bonds

**HB 447 PEARSON INSURANCE/POLICIES** Provides relative to certificates of insurance

**HB 706 ABRAMSON INSURANCE/PROPERTY** Provides relative to application to the Louisiana Citizens Property Insurance Corporation for coverage and issuance and renewal of a policy by such corporation

**HB 932 GALLOT INSURANCE/AUTOMOBILE** Prohibits a policyholder under a motor vehicle liability policy from permitting any person excluded from coverage to drive the covered vehicle

**HB 1047 ST. GERMAIN BONDS/BAIL** Establishes a bail bond apprenticeship program

**HB 1147 GALLOT INSURANCE/AUTOMOBILE** Prohibits a policyholder from allowing any person excluded from liability coverage to drive the covered vehicle

**HB 1148 GALLOT INSURANCE/AUTOMOBILE** Prohibits the exclusion of any person from coverage under a motor vehicle liability policy

**HB 1210 SCHRODER INSURANCE** Provides with respect to the Louisiana Public Adjuster Licensing Law

CHARLES E. "CHUCK" KLECKLEY  
Chairman

**Committee on Natural Resources and Environment**

April 28, 2010  
Committee Room 4  
9:00 am

INSTRUMENTS TO BE HEARD:

**HB 45 LAMBERT FISHING/CRABS** Removes requirement for crab trap markers north of the saltwater line

**HB 545 BALDONE FISHING/COMMERCIAL** Provides that the commercial season for speckled trout remain open until the maximum annual quota is reached

**HB 597 ST. GERMAIN FISHING/COMMERCIAL** Allows

commercial fishing for shad throughout the Atchafalaya Basin Spillway

**HB 641 HENDERSON FISHING/OYSTERS** Repeals the sunset date for the use of devices to prevent predation on oyster leases

**HB 642 HENDERSON FISHING/OYSTERS** Adds a member from the Louisiana Oystermen Association to the Oyster Task Force

**HB 644 HENDERSON FISHING/OYSTERS** Allows the relocation of certain classes of oyster leases

**HB 656 GISCLAIR WATERWAYS/LAKES** Authorizes the Lafourche Game and Fish Commission to govern, regulate, and control Lake Long

**HB 692 WOOTON FISHING/OYSTERS** Extends the time within which an oyster lease renewal must be recorded

**HB 693 WOOTON FISHING/OYSTERS** Requires DHH to notify oyster harvesters and dealers of a possible state exemption from the National Shellfish Sanitation program's Vibrio management plan

**HB 695 WOOTON FISHING/OYSTERS** Allows the sale within the state of La. of oysters for raw consumption at all times of the year

**HB 712 WOOTON FISHING/OYSTERS** Provides for certain restrictions on the taking of oysters

**HB 875 HARRISON FISHING/SHRIMP** Creates the La. Shrimp Task Force within the Dept. of Wildlife and Fisheries

**HB 876 ST. GERMAIN FISHING/OYSTERS** Removes the requirement for payment of a survey fee for oyster leases

**HB 887 ST. GERMAIN FISHING/FINFISH** Provides relative to management protocols to be followed by the Dept. of Wildlife and Fisheries for certain finfish

**HB 888 ST. GERMAIN FISHING/FINFISH** Provides for identification of certain saltwater finfish

**HB 889 ST. GERMAIN FISHING/OYSTERS** Authorizes the Wildlife and Fisheries Commission to promulgate rules to protect oyster habitat from harvest-related damage

**HB 890 HARRISON WILDLIFE & FISHERIES SEC** Authorizes the secretary of the Dept. of Wildlife and Fisheries to develop certification standards for Louisiana wild fish and seafood including wild-caught shrimp

**HB 953 LAMBERT FISHING/COMMERCIAL** Provides relative to legal finfish possession by commercial crabbers

**HB 1288 GUINN FISHING/DEVICES** Allows the use of wire nets and hoop nets for recreational fishing in the freshwater areas of the state

**HB 1334 LAMBERT WILDLIFE & FISHERIES DEP** Provides relative to fisheries management by the Department of Wildlife and Fisheries

**HB 1359 WOOTON FISHING/OYSTERS** Provides for relocation for those oyster leases located within a public oyster seed ground

---

## Page 46 HOUSE

15th Day's Proceedings - April 22, 2010

---

### OTHER BUSINESS:

Consideration of sale of state lands

April 29, 2010

Any instrument not disposed of at the April 28, 2010 meeting will be scheduled for April 29, 2010, pursuant to House Rule 14.24(A).

Any legislative instrument on the weekly schedule and listed on the notice for a committee which was not disposed of at the first meeting of a committee in the week may be carried over and listed on the notice for the second meeting of the committee during such week (House Rule 14.24(A)).

GORDON E. DOVE, SR.  
Chairman

**LEGISLATIVE INSTRUMENTS MAY BE DELETED (DOES NOT REQUIRE HOUSE RULES SUSPENSION) OR ADDED (REQUIRES HOUSE RULES SUSPENSION) PRIOR TO THE MEETING DATE. (HOUSE RULES 14.23 AND 14.24) SEE THE DAILY NOTICE OF COMMITTEE MEETINGS POSTED PRIOR TO MEETING DATE.**